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# ISSUANCES

of the

Meat and Poultry Inspection Program

April 1978



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UNITED STATES DEPARTMENT OF AGRICULTURE  
Food Safety and Quality Service  
Meat and Poultry Inspection Program  
Washington, D.C. 20250



UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND QUALITY SERVICE  
MEAT AND POULTRY INSPECTION PROGRAM  
WASHINGTON, D.C. 20250

## Meat and Poultry Inspection Manual

April 1978

CHANGE: 78-4

### MAINTENANCE INSTRUCTIONS

Remove Page	Insert Page	Numbered
31 and 32	31 and 32	78-4
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#### Pen-and-Ink Changes

Page 191, section 20.9(b)(2), line 7, change "21 through 23" to "24 through 26."

#### Bulletins Cancelled

The revision on page 284 cancels MPI Bulletin 77-113.

April 13, 1978

**(b) Rust**

It must be removed from equipment and overhead structures in edible product departments.

Corroded or rusted equipment and utensils may be prevented with approved antirust agent, which shall be removed (by washing before equipment is used).

**(c) Condensation**

**(1) Plant responsibility.** Management shall take adequate measures to prevent product contamination from condensate. When a condensation problem occurs, plant management shall:

1. Cease activities where product contamination cannot be avoided.
2. Remove product from area and/or protect it from condensate.

3. Hold contaminated product for reconditioning or condemnation.

4. Initiate actions to find and eliminate cause. The following suggestions are examples of successfully applied approaches to condensation control:

- a. Limit air exchange at openings (chutes, doors) with foyers, self-closing doors, partitions, air screens, etc.

- b. Remove moisture from air that enters through doors or other openings and before it spreads into work areas by placing dehumidifiers in path of normal air currents.

- c. Pressurize work areas to limit entry of moist air from uncontrolled sources.

- d. Condition (filter and heat, cool or dry as appropriate) makeup air in work areas.

- e. Insulate walls, ceilings, pipes, etc.

- f. Install forced air circulation fans, etc.

- g. Install electric heat tapes or small steam lines in insulation or near surfaces of areas subject to condensation.

- h. Control use of water and steam.

- i. Place exhaust hoods over vapor-generating equipment.

**(2) MPI responsibility.**

**(i) Inspector.** He shall:

1. Retain contaminated product for reconditioning or condemnation.

2. Reject problem areas until temporarily or permanently corrected.

3. Notify plant of unacceptable conditions.

4. Inform circuit supervisor of actions taken.

5. Document (on MP Form 455) existing or potential problem areas, and record action(s) taken by inspector and corrective action(s) taken by plant personnel.

6. Regularly review plant's condensation control program. Discuss with management the progress made on meeting the timetable for long range, permanent corrective actions.

**(ii) Circuit supervisor.** He shall:

1. Approve or revise inspector's actions.

2. Have option to extend allowable time for temporary measures, if the plant is conscientiously working out corrective measures and states definite, realistic time limits for full corrective action.

3. Notify plant management in writing if corrective measures are inadequate. Document all time extensions.

4. Initiate followup check to assure corrective action is taken.

5. Inform area supervisor if problem is not resolved at circuit level. \*

**(d) Lubricant**

Equipment lubricated by grease or oil shall be frequently examined to assure product is not contaminated.

Corrosion on galvanized equipment may be prevented by cleaning and a light application of colorless, odorless, paraffin oil.



Equipment surface that will possibly contact product must have all oil removed (by washing) before use.

Oil must be drained from trolleys, gambrels, hooks, etc., before use. Dipping oils shall be kept free of floating debris and foreign film by frequent skimming to avoid transfer to trolleys, gambrels, hooks, etc.

To prevent product contamination with toxic compounds, all lubricants used where potential product contamination exists must be edible and approved by CH.

#### (e) Staples, Clips

Staples from metal stitching machines are a dangerous source of contamination. Such machines shall not be operated near open containers of product.

\* Metal-stapled containers and wire-bound boxes should be carefully opened to avoid possible product contamination. Uncrimped staples are prohibited in fiberboard product containers. Copper-type (coated) staples and wire shall not directly contact exposed product.

Small staples are not permitted for attaching paper or burlap covers.

Metal clips or staples shall not be used for affixing labels or tags to product.

#### (f) Tag Fastener, Skewer

Metal or other fasteners used for identification tags shall be removed after serving their purpose. Fasteners that cannot be readily removed shall not be used.

Wood, metal, and other skewers shall be removed from carcasses before cutting or boning.

#### (g) Wire Brushes, Steel Wool

They must not be used on product and equipment contacting product.

#### (h) Various Metal Contaminants

The following sources of metal contamination shall be carefully

considered: worn can openers, broken or worn parts of equipment, loose hooks, unnecessary pipes and wires, metal strapping from containers, bacon hangers, belly spreaders, worn metal containers, improperly welded equipment, etc.

(1) Aluminum equipment. Friction between meat and aluminum often results in a black discoloration of product surfaces. Hard metal meat hooks may cause abrasion of aluminum rails which \* results in metal particles' deposit on \* product. \*

(2) Welded equipment. It shall be carefully examined for metal beads and slag pieces.

#### (i) Sawdust

It shall not be used on benches, equipment, or floors where grinding, boning, cutting, or packing operations are conducted.

In meat carcass holding coolers, a thin layer of clean, odorless sawdust may be used, provided it is replaced weekly or more often if necessary.

When it is necessary to go through processing departments, sawdust must be conveyed to and ashes removed from smokehouses in metal containers with tight fitting lids.

#### (j) Anti-Slip Material

Approved natural earth minerals may be used for spot application on hazardous floor areas, provided they do not cause dusting, tracking, or other objectionable conditions.

#### (k) Paper, Plastic

To avoid product contamination with wood splinters, slack barrels and similar containers, vehicles, and cars shall be lined with suitable paper or plastic before use.

on completion of MP Form 112, Laboratory Specimen Receipt (see Part 20).

#### (h) Carcass Passed for Cooking

Carcasses and parts passed for cooking shall be held under strict control until cooked as required by regulations (315).

Trucks and containers used for holding or transporting such products shall be equipped with sealing devices and be properly marked.

#### (i) Cattle

(1) Actinobacillosis, actinomycosis. The inspector shall carefully examine lesions resembling actinobacillosis or actinomycosis and, when necessary, incise them to determine character and extent.

When head only is affected, body lymph nodes are not required to be incised. However, carcass shall be carefully examined and body lymph nodes palpated.

When viscera are affected, anterior, middle, and posterior cervical lymph nodes shall be incised.

Cervical lymph nodes shall be removed from neck region when lesions are in the head.

(2) Anaplasmosis. Carcasses of animals recovered from anaplasmosis may be passed for food, provided the yellow carcass color disappears when chilled and other disease lesions are not present.

(3) Tonsil, ulcer, scar. Under inspector's direction, plant employees shall remove tonsils, ulcers, and scar tissues from heads or tongues.

(4) Cactus thorns. Tongues with cactus thorns and/or cactus thorn abscesses shall be condemned (311.9 (d)).

#### (5) Cysticercosis.

(i) Carcass. When a beef carcass is retained for cysticercosis, the final inspector shall:

1. Thoroughly incise lateral and medial masticatory muscles, heart, diaphragm, and its pillars. The peritoneum must be removed before incising the diaphragm.

2. Observe and palpate tongue. If cysts are suspected in the muscular part, the tongue shall be thoroughly incised and observed.

3. Examine esophagus and all exposed muscular surfaces.

4. When cysts in a carcass are in two or more (of the above) sites, (a) make one transverse cut in each shoulder (2-3 inches) above the olecranon's point. This cut should extend to the humerus and expose the triceps brachii; (b) make one cut also in each round to expose musculature in cross section.

(ii) Lot. When one beef carcass in a "lot" is found to contain a cyst, the following procedure shall be required on all carcasses in that lot:

1. Multiple incising of the inter-ventricular septum, external and internal muscles of mastication. Also, close observation shall be made of the esophagus and cut surfaces of muscles exposed during dressing operation.

2. If available and identified as part of the affected lot, hearts and cheeks from carcasses which had passed inspection prior to finding the infected carcass shall be incised as above.

Inspectors should be cautioned that some plants may attempt to separate an original lot into small sublots to decrease the number of cattle carcasses subject to this expanded procedure. Such a practice should not be permitted.

(iii) Specimen collection; report. Collect all live cysts from the heart and masticatory muscles and submit (in formalin) with a completed MP Form 23 to: Veterinary Services Laboratories, Pathology and Toxicology Laboratory, USDA, APHIS, P.O. Box 70, Ames, Iowa 50010. \*

Report affected animals (or lots) to VS on VS Form 2-11. Give identifying tag numbers and owner's name and address (if available), and distribute copies as indicated on the form. Enter the MP Form 23 serial number on the VS Form 2-11 under remarks.

(6) **Eosinophilic myositis.** It is primarily found in cattle, occasionally in sheep, and rarely in swine. It is characterized by yellowish, yellowish-green or greyish white foci, small, spindle-shaped and irregularly distributed in skeletal and cardiac



(5) **Stick wound.** Stick wounds or portions of such wounds exposed to scald water or other contaminant must be trimmed during dressing operations and condemned. Other stick wounds must be opened for proper washing and removal of blood clots.

(6) **Anthrax.** When anthrax is detected on post-mortem inspection, the final inspector shall stop all slaughter operations, inspect and condemn dropped heads from detection point to head dropper, and require:

1. Stick wound trimming from detection point to sticker.

2. Preliminary clean up: (a) cleanse and disinfect knives, aprons, boots, and equipment contaminated with anthrax-infected material; (b) drain scalding vat, or heat water to boiling point; (c) with 180° F. water cleanse floors, benches, and equipment contaminated by affected carcass; (d) cleanse and disinfect arms and hands of employees who contacted infected material as outlined in regulations (M-310.9).

3. General clean up and disinfection as required by regulations.

(7) **Arthritis.** Joints with localized arthritis and corresponding lymph nodes shall be removed and condemned during dressing operations and before inspection is completed.

Alternative. Hind feet with arthritic hock joints may be removed and condemned on porkcut, provided plant employees:

a. During dressing operations and before inspection is completed, remove corresponding lymph nodes and identify affected hind feet on hanging carcasses by (1) making a horizontal incision through the skin below the hock joint, and (2) applying an approved dye to the affected foot.

b. Segregate affected carcasses as separate lot in the cooler(s).

c. At the end of porkcut operations and under inspector's direct supervision, cut segregated lot after removal

of all edible product which might comingle with condemned hind feet.

d. Clean and sanitize with 180° F. water or approved chemical sanitizer all equipment (saws, tables, conveyors, etc.) used for removing arthritic joints after cutting or immediately if such equipment becomes contaminated with synovial fluid or diseased tissue.

**Note:** This alternative does not apply to carcass in which a hock joint is opened.

(8) **Atrophic rhinitis.** Swine with atrophic rhinitis may have a characteristic nose disfiguration, absence of nasal turbinate bones, and small amounts of pus or catarrhal exudate in nasal sinuses.

The turbinates' soft tissues may be present, but they are folded against the nasal cavity wall since the supporting bony structure has disappeared. Abscesses or well circumscribed caseous necrotic lung lesions may be observed in old cases.

Since this condition is usually localized, head tissues can be removed without contamination and saved for food.

(9) **Cysticercosis.** Diagnosis of swine cysticercosis (*Cysticercus cellulosae*) or cases resembling such disease must be confirmed by the Pathology Group, Regional Multi-disciplinary Laboratory serving your State. \*

When diagnosis is confirmed, all information about identification and origin of animal should be reported on VS Form 2-11 to State veterinarian in charge and to appropriate State livestock sanitary official in State of animal's origin. \*

If animal's origin is determined, public health officials of the area should also be notified.

(10) **Iron injection.** Brown and/or yellow areas in muscles of swine hind-quarters, about 2 inches in diameter and often extending to the semitendinosus muscle, are lesions from

intramuscular injections of iron preparations. Such lesions may most often be detected during ham slicing.

All affected tissues shall be removed and condemned.

(11) **Sexual odor.** Carcass disposition shall be according to regulations (311.20).

Boneless pork meat, from carcasses passed for use in comminuted cooked product or rendering, may be shipped without restriction in containers with labels including inspection legend and a statement such as "boar meat for use in comminuted cooked product only."

Carcasses or bone-in cuts may be shipped under restriction (325) to other federally inspected plants for boning, packaging and labeling, or for use in comminuted cooked product.

(12) **Tuberculosis.** Final inspectors must incise and observe all body lymph nodes of carcasses retained for tuberculosis.

**Exception!** (1) Incision of body lymph nodes may be omitted when lesions are in lymph nodes of head and mesentery only. (2) Prescapular lymph nodes' incision may be omitted when prepectoral lymph nodes and thoracic pleura have no lesions. (3) Incision of prefemoral lymph nodes may be omitted when superficial inguinal, sublumbar, and iliac lymph nodes show no lesions.

When laboratory assistance is needed to determine swine carcass disposition, send specimen with MP Form 23 to MPI laboratory. For reporting procedures, see section 21.4(d).

#### (m) **Horses**

Tongue's stain, laceration. Dark stains, frequently seen on tongue's dorsal surfaces, and lacerations from teeth shall be trimmed.

### 11.6 POULTRY

#### (a) **Carcass Disposition**

Veterinary inspectors in charge are

responsible for disposition accuracy.

Under close veterinary supervision, food inspectors may condemn poultry carcasses, parts, or organs obviously unwholesome or unfit for human food. Any carcass showing signs of an abnormal physiological state not designated as obviously condemnable shall be retained for the veterinary inspector, who will make a professional judgment on the disposition as required by regulations. If condemnation is necessary, he will record it on MP Form 514.

#### (b) **Disposition Guide**

Wholesome carcass--pass for food.

Unwholesome carcass--condemn carcass and viscera.

Unwholesome organs--condemn affected organs and pass carcass.

Dressing defects, localized abnormality--require trimming to correct dressing defects, removal of part(s) affected by tumors, and severely damaged members (leg, wing, etc.).

Loss of carcass-viscera identification. Carcasses presented for inspection with missing viscera are to be condemned except as follows:

1. When only parts of the viscera set are missing, action will be dependent upon the instructions of the inspector in charge.

2. Upon request of the establishment to the inspector in charge, carcasses with missing viscera will be retained. These will be lotted by the establishment with the corresponding pooled collection of detached viscera. The carcasses will be disposed of as a passed or condemned lot under the direction of the inspector in charge according to the following procedures and restrictions:

a. All missing viscera must be present in the pooled collection.

b. Identity of viscera and corresponding carcasses must be maintained insofar as the lot is concerned.

## Part 20

Chart 20.1 - Forms

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FORM	USE	COPIES	SUBMITTAL	DISTRIBUTION	OTHER INFORMATION
MP 4, Odd Hour Inspection Report	Each inspection	3	See form	See form	See form
+MP 7, Certificate of Wholesomeness	Export to Belgium	4	Completed by plant and inspector. Upon completion	Same as MP 412-3	See form
MP 11, Services Rendered	Chargeable Service	4	Monthly	See form	*
MP 12, Authorization Card	Cross-licensed inspector	1		Each employee	*
+MP 17, Certificate for Glands, Organs, and Offals Imported for Pharmaceutical Purposes	Export to France	4	Completed by plant and inspector. Upon completion	Same as MP 412-3	See form
MP 22, Chemical Laboratory Analysis	Chemical analysis	5	For each sample or composite	See form	See sec. 20.9
MP 23, Laboratory Report	Pathology, microbiology or residue analysis	6	For each sample or composite	See form	See sec. 20.10
MP 31, Establishment Application for export of meat or poultry	Export	2	Completed by plant. Upon completion	Original and copy to FPS for signature of Deputy Admin.	*
MP 35, U.S. Rejected and U.S. Retained Tags	Identification of facilities, equipment or product in noncompliance	As required	Remove stub and retain until item acceptable. Attach to item(s).	Remove tag when item is acceptable. Discard tag and stub	* Used and removed by inspection personnel only. Indicate initials on tag, date, inspector's and corrective action
+MP 36, Water and Temperature Checks	Daily. To record temperature and water used	1	See form	See form	Record temperature of chill water and product--carcass, parts, giblets, parts on cutup line, etc.--and water used in continuous chillers.
+MP 40, Health Certificate for Importation of Fresh Poultry Meat into the European Economic Community (EEC)	Export to Countries in the European Economic Community (EEC)	4	Completed by MPI veterinarian. Upon completion.	With shipment	See form

Note: See footnotes at end of chart



## Part 20

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Chart 20.1 - Forms, con't.

Form	Use	Copies	Submittal	Distribution	Other Information
+MP 42, Certificate of Origin and Health for Importation of Meat into Italy	Export to Italy	4	Completed by MPI veterinarian. Upon completion	Same as MP 412-3	See form
++MP 47, Certificate of Wholesomeness (for poultry products destined for importation into Belgium)	Export to Belgium	4	Completed by plant and MPI veterinarian. Upon completion	With Shipment	See form and sec. 22.23
++MP 58, Certificate of Fitness for Consumption Issued by an Official Veterinarian for fresh Poultry Meat Imported from (non-member) Foreign Countries	Export to the Federal Republic of Germany	4	Completed by plant and MPI veterinarian. Upon completion	With shipment	See form and sec. 22.35
++MP 59, Certificate of Fitness for Consumption Issued by an Official Veterinarian for Processed Poultry Meat Imported from a Non-member Foreign Country	Export to the Federal Republic of Germany	4	Completed by plant and MPI veterinarian. Upon completion	With shipment	See form and sec. 22.35
+MP 62, Health Certificate for the Importation of Beef and Pork and of Products Manufactured from such meat	Export to the Federal Republic of Germany	4	Completed by plant and MPI veterinarian. Upon completion	Same as MP 412-3	See form and sec. 22.35
+MP 63, Refused Entry Notification	Import inspection	5	Upon completion	See form	
+MP 64, Official Receipt for Samples of Foreign Products collected for Laboratory Examination	Import inspection	2	Upon completion	Gov't office-copy--broker-original	*
MP 65, Sampling work sheet	Import inspection	1	Retained by inspector	Gov't office	
MP 66, Incubation Log	Import inspection	1	Retained by inspector	Gov't office	
++MP 70, Animal Health Certificate for Importation of Slaughtered Domesticated Poultry	Export to the Federal Republic of Germany	4	Completed by plant and MPI veterinarian. Upon completion	Same as MP 506	See form

Part 20

Chart 20.1 - Forms, con't.

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Form	Use	Copies	Submittal	Distribution	Other Information
MP 81, Certificate Which Must Accompany Imported Frozen Meats, Offals, Poultry, Animal Products and Products of Animal Origin	Export to France	4	Completed by plant and MPI veterinarian. Upon completion	Same as MP 412-3	See form
++MP 82, Sanitary Certificate (Poultry)	Export to France	4	Completed by plant and MPI veterinarian. Upon completion	With shipment	See form
++MP 112, Laboratory Specimen Receipt	When specimen released to private or commercial laboratory	3	For each sample or composite	See form	
MP 132, Application for Label Approval	As required	3	By plant for each label	PLS Gov. office	See form
++MP 215, Condition of Reinspected Poultry	At slaughter plants	1	Daily. At least weekly, if no floorman or grader present	Gov. office	Proc. plants: use for inspection of product for condition
MP 401, Application for Federal Meat and Poultry Inspection	To obtain Federal inspection	4	Upon request for inspection. Completed by applicant	See form	Complete all sections. If not applicable, enter "N/A"; if negative, "No" or "None".
++MP 402-1, Summary of Ante-Mortem Examination	Ante-mortem inspection	1	Upon completion	Gov. office	Optional
++MP 402-2, Identification Card--Ante-Mortem	U.S. suspects	1	Upon completion	Gov. office	Post-Mortem section - optional *
++MP 403, Ante-Mortem and Post-Mortem Inspection Summary	Ante-and post-mortem inspection	2	Weekly	DPC, Chicago-orig. Gov. office duplicate	See sec. 20.11
++MP 403-6, Final Disposition of Retained Carcasses	For suspects and retained carcasses	1	Prepared by VMO	Gov. office	Separate form for tuberculosis reactor; see sec. 20.12 *
++MP 403-7, Certificate of Ante-Mortem or Post-Mortem Disposition of Tagged Animals	Slaughter plant	2	Upon plant request; by VMO	Plant-orig. Gov. office-copy	Accountable, keep under security. Record only official (USDA) tags--U.S. Suspect, U.S. Retained, reactor, backtags, etc.



## Part 20

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Chart 20.1 - Forms, con't.

Form	Use	Copies	Submittal	Distribution	Other Information
MP 403-10, Application and Permit to Obtain Specimens from Official Meat Establishments	Release of specimen(s)	3	Completed by applicant. Submitted to inspector in charge	See form	Only items specified on form may be removed
+MP 404, Processing Operations at Official Establishments	Completed by management of proc. operations	3	Weekly; to inspector in charge	DSC, Chicago-orig. Gov. office-copy Plant - copy	See sec. 20.13
+MP 406-2, Daily Report of Denaturing and Tanking	For cond. carcasses and/or parts	1	Optional Completed as required by area supervisor	Gov. office	Record tag and/or seal numbers, sealing and seal breaking time, inspector's name
+MP 406-3, Daily Report of Handling Meats Passed for Cooking	For carcasses and/or parts passed for cooking	1	Daily	Gov. office	
+MP 407, Meat and Meat Food Products Condemned on Reinspection and Destroyed	For product cond. on reinspection by the inspector	2	Weekly	DSC, Chicago - orig. Gov. office-copy, Plant - A copy may be obtained upon request	Not used for repayment or claim adjustment between plants. Negative report not required See sec. 20.14
+MP 407-4, Materials Rejected for Use	For each material rejected	2	Upon completion	DSC, Chicago - orig. Gov. office-copy	Circle one code no. for each group. Describe material, cause of rejection, disposition and agency notified; See sec. 20.15
MP 408, Request and Notice of Shipment of Sealed Meat/Poultry	Product shipped under seal	4	Upon completion	Destination inspector-orig. Inside sealed car-copy. Gov. office-copy	May be modified to cover shipment of product for further processing *
+MP 409-1, Permit to Return Alleged Unsound Product	Alleged unsound product	3	Upon completion	See MR-325.10	Identifies and permits return of alleged unsound product to official plant
+MP 410, Imported Meat and Meat Food Products. Application and Report	Inspection of imported product	8	Upon completion	See form and sec. 27.19(b)	See sec. 27.19 *
+MP 410-10, Official Veterinary Certificate of Wholesomeness	Export of fresh meats to Germany	1	Upon completion	With shipment	Fresh meat and edible organs
+MP 410-11, Official Veterinary Certificate of Wholesomeness	Export of prepared meats to Germany	1	Upon completion	With shipment	Processed meat products

Chart 20.1 - Forms, con't.

Form	Use	Copies	Submittal	Distribution	Other Information
+MP 410-12, Animal Health Certificate for Importation of Meat from Domestic Swine	Export of swine meat to Germany	1	Upon completion	With shipment	See form
+MP 410-13, Health Certificate for the Import of Meat from Domestic ruminants	Export of ruminant meat to Germany	1	Upon completion	With shipment	See form
+MP 412, Application for Export Certificate and/or Stamps	Export. Completed by plant	2	Upon completion	DSC, Des Moines - Orig. Area Office-copy	List all product. Request on one form only one type of certificate and/or stamps. *
+MP 412-3, Regular Export Certificate	Export	4	Completed by plant and inspector. Upon completion	Shipper- orig., duplicate and quadruplicate. Gov. office-triplicate	Show establishment no. (s) and address of consignor
+MP 412-7, USDA Meat Inspection Service, Certificate of Pork Product	Export of lard to Colombia	5	Upon completion	With shipment orig. & 3 copies. Gov. office-4th copy	See form
+MP 412-8, Sanitary Certificate (Certificat Sanitaire)	Export to Algeria, Poland	1	Upon completion	With shipment	Use USDA-MPI seal *
+MP 412-9, Sanitary Certificate for Netherlands	Export to Netherlands	1	Upon completion	With shipment	Meat food products. Put USDA-MPI seal on form
+MP 412-9-1, Meat Certificate for Importation into the Netherlands	Export to Netherlands	1	Upon completion	With shipment	Animal casings, fresh meat and meat byproducts
+MP 412-11, Sanitary Certificate	Export to France	1	Upon completion	With shipment	Fresh meat and/or offal
+MP 412-12, Sanitary Certificate "D"	Export to France	1	Upon completion	With shipment	Processed meat and/or edible fat
MP 412-13, Certificate for Export to Japan	Export to Japan	4	Completed by plant and inspector in charge. Upon completion	With Shipment	See form
+MP 412-14, Veterinary Certificate for Export of Poultry to the United Kingdom	Export to United Kingdom	4	Completed by plant and MPI veterinarian. Upon completion	With Shipment	See form
+MP 413, Certificate for Importation of Casings into the Netherlands	Export to Netherlands	4	Completed by plant and MPI veterinarian. Upon completion	Same as MP 415-4	See form

## Part 20

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Chart 20.1 - Forms, con't.

Form	Use	Copies	Submittal	Distribution	Other Information
+MP 414-3, Regular Horsemeat Export Certificate	Export	3	Completed by plant and inspector. Upon completion	Shipper - orig. & duplicate, Gov't office triplicate	Show establishment number(s) and address of consignor
+MP 415-3, Inedible Product Export Certificate	Export	4	Upon completion	With shipment Gov. office-copy	See form
+MP 415-4, Animal Casings Export Certificate	Export	4	Upon request	With shipment Gov. office-copy	See form
+MP 415-5, Special Export Certificate for Animal Casings	Export	2	Upon completion	With shipment	See form
MP 420-3, Receipt of Accountable Property	Accountable property	3	Upon completion	See form	
MP 423, Submission and Approval of Plans and Specifications	Applying for Federal inspection by applicant	4	See form	See form	
+MP 437, Notice of Receipt of Unclean or Unsound Product	For unclean or unsound product	4	See form	See form	Not issued to plant
MP 441, Permit to Ship Meat or Poultry Labels Between Official Establishments	Transfer of labels between plants	See form	With each batch of labels	See form	
MP 449, Reporting Kit	Injury		See form	See form	
+MP 450, Scoresheet for Boneless Manufacturing Meats other than Pork	Boneless meat inspection	2	Upon completion	Gov. office-orig. and copy	Complete for domestic and import inspection--1,2,11,12,13,14,15,16,17. Domestic only--3,4,5,6,7. Import only--8,9,10. See also form and Subpart 18-B.
+MP 450-1, Online Inspection of Boneless Manufacturing Meats other than Pork	Boneless meat reinspection (online)	2	Completed and filed by plant	Available to MPI personnel	See also Subpart 18-B
+MP 450-2, Worksheet for MP Form 450 (Imported Meats)	Boneless imported meat	1	Upon completion	Gov. office	See form



Chart 20.1 - Forms, con't.

Form	Use	Copies	Submittal	Distribution	Other Information
MP 455, Sanitation Report	Daily sanitation	2	Weekly	See form Gov. office-orig. Plant-copy	Explain items marked "N" or "U" in "remarks". Upon report completion, inspector and plant official should sign.
+MP 460, Condition of Container (Scoresheet)	Import product	3	Upon completion	Gov. office-copy Plant - copy	Use tightened plan for reinspections See sec. 20.17
MP 462, Establishment Workload and Assignment Computation	Workload and assignment	3	Completed by Circuit Supervisor	Reg. office-orig. Area Sup.-Copy Gov. Office-Copy	
MP 480, Application for Approval of Label, Formulation, or Device	As required	3	By plant for each label to PLS, Wash., D.C.	By PLS: PLS-orig. IIC-copies By IIC: Gov. office-copy Plant-copy	See form * * * * *
MP 486, Net Weight Report	Net weight	1	Upon completion	Gov. office	See form
MP 490, Assignment Record	Program planning, operating, and controlling. Maintaining current assignment data	4	Completed by Area Supervisor. Orig. and copies to RD	Reg. office-orig. WSDS, Wash., -copy Area office-copy Circ. Sup.-Copy	
MP 491, Assignment Report	Assignment	3	Completed by Area Supervisor	See form	
+MP 505, Poultry Inspection Certificate	Upon request: 1. According to 381.108. 2. In lieu of MP 506.	4	Upon completion	Shipper - orig. & 1st copy; Area office-2nd copy. Gov. office-3rd copy	See Regulations 381.108 and Manual 22.14(a)
+MP 506, Export Certificate	Export	6	Upon completion	Shipper - orig. and 1st copy. Plant - 2nd copy. DSC, Des Moines, Iowa - 3rd copy. Gov. office-4th copy. Area Sup.-5th copy	See form
+MP 508, Notice of Shipment of Material derived from United States Inspected and Passed Carcasses, but not Eligible for the mark of Inspection for Use in Certified Animal Food	Certified animal food	4	Upon completion	See form	

Part 20

215a Chart 20.1 - Forms, con't.

Form	Use	Copies	Submittal	Distribution	Other Information
++MP 513, Poultry Inspection Daily Summary	Summary of lot information	1	Weekly	DSC, Des Moines, Iowa	See form
++MP 514, Poultry Inspection Lot Tally Sheet	Each lot inspected	1	Upon completion of lot inspection	Gov. office	Retain in inspector's possession or in Gov. office at all times.
++MP 514-1, Poultry Condemnation Certificate	Each lot	4	Upon completion	Plant - orig. and 2 copies Gov. office-copy	See form
++MP 514-2, Poultry Lot Information	Each lot	1	After lot is packed	Gov. office	See form
+MP 519, Scoresheet for Carcass Meat and Meat Byproducts	Carcass reinspection; each lot	2	Weekly	Gov. office-original Plant-duplicate	See sec. 20.18 * *
++MP 526, Application for Inspection Service on Poultry Products Frozen Away from Official Plant	Inspection of off-premise freezing	5	By applicant	See form	
++MP 528, Moisture Absorbed by Poultry	Chilling procedure change	2	By plant	Gov. office-orig. Plant - copy	See form
++MP 536, Monthly Report of Inspected Poultry	To report condemnations occurring before and during cutup or further proc.	2	Monthly	DSC, Des Moines - original Gov. office-copy	Report condemnations occurring after cutup or further processing under "Remarks."
++MP 549, Daily Moisture Record	Moisture control; daily	2	Weekly	Regional office-orig. Gov. office-copy	See form
+VS 1-27, Permit for Movement of Animals	Quarantined animals	See form	Upon completion	Gov. office-orig. VS (in accompanying envelope) - copy	Upon slaughter, complete items 26-31.
+VS 1-68, Report of Brucellosis and Tuberculosis Reactors Slaughtered that are not properly identified when received	Reactors not properly identified	4	See form	See form	
+VS 2-11, Report of Diseased Animals Found at Stockyards or Slaughter Establishments	Contagious and communicable diseases	4	See form	See form	Report identity of affected animals by phone or wire, &/or on this form



## Part 20

Chart 20.1 - Forms, con't.

215b

Form	Use	Copies	Submittal	Distribution	Other Information
+VS 6-35, Report of Nonreactors Showing Tuberculosis Lesions or Thoracic Granulomas	Tuberculosis or thoracic granulomas	3	See form	With sample-- Original and VSL copy. MPI copy-- file.	Case number in block #2 is numbered consecutively for each establishment, beginning with case #1 each fiscal year.
+VS 17-33 Animals Imported for Immediate Slaughter	Import cattle	1	See form	See form	See Part 21
DPSC Form 2662, Report of Nonconformance Supplies	Material rejection		By military See Subpart 20-A	See Subpart 20-A	See form

+ = Meat only

++ = Poultry only

\*

## PART 21

## COOPERATION WITH OTHER AUTHORITIES (MEAT)

## VETERINARY SERVICES

## Subpart 21-A

## 21.1 REPORTABLE DISEASES

Anthrax, bluetongue, cysticercosis, hog cholera, scabies, scrapie, tuberculosis, contagious ecthyma, myiasis, and vesicular diseases must be reported to VS. A VS inspector may want to examine animals with scrapie or scabies.

## 21.2 FOREIGN DISEASES

Foot-and-mouth disease, rinderpest, African swine fever, contagious bovine pleuropneumonia, and Teschen's disease are not present in USA.

If suspicious symptoms are observed, contact the nearest VS field veterinarian. If he cannot be reached, notify the State VS veterinarian in charge and FO.

## 21.3 ANIMAL IDENTIFICATION

In most cases, cattle identity is established by ear tag, sales tag, or backtag. In mature cattle, hide brands may be useful. If available, hide brands should be shown with ear-tag numbers on VS Form 2-11 and

\* VS Form 6-35.

Any method which will maintain carcass identity with identification (ID) devices throughout post-mortem inspection is acceptable. One successful method uses a 3-section plant tag. One section is fastened to the carcasses, one to the head, and one is put in the plastic bag with all ID devices.

## 21.4 REPORTING PROCEDURES

## (a) Communicable Diseases

By collect wire, addressed to VS veterinarian in charge of State of origin, immediately report any unusual condition suggestive of animal communicable disease.

VS Form 2-11 is used for reporting \* diseases other than tuberculosis.

## (b) Mucosal Diseases

When mucosal disease complex conditions are observed, immediately call (collect) VS veterinarian in charge of origin State. If origin cannot be determined, notify the veterinarian in charge of the State where animals were slaughtered. Confirm telephone report with completed VS Form 2-11.

## (c) Hog Cholera

Promptly report by collect call all cases of hog cholera-like symptoms or lesions to VS veterinarian in charge in the State where animals are located. The telephone report must have enough information to aid in traceback.

Swine from hog cholera quarantined areas, or those exposed to hog cholera are shipped under VS seal and accompanied by VS Form 1-27. Receiving MPI inspector will (1) remove the seal, (2) complete VS Form 1-27, and (3) send copy to State of origin VS veterinarian in charge of swine received.

When an inspector is not on duty, some shipments arriving at the official plant may need to be unloaded before an inspector is available. In this case, the inspector adds this information on back of VS 1-27, and includes swine description, number of animals, special marks, seal broken by plant employee, slaughter date, plant's name and location, and inspector's name and title.

storage adversely affecting a determinable portion of a lot (damage by dropping, burning, flood, etc.).

**(c) Sample Selection, MP Form 460**

When lots are properly presented, inspectors select and identify total number of sample cartons, including first and second steps where applicable, and require all sample units be removed from the lots.

When a lot remains in the immediate facility, without being loaded onto a vehicle before results of first step inspection, second step samples may remain in the lot until needed.

Enough shipping cartons must be randomly selected to obtain required number of cans for the sample.

Cans shall be randomly selected from sample cartons using Table 27.1.

If, by using such table, the number of shipping cartons in a lot is not sufficient for a full sample, the inspector selects more samples from each carton. If the total number of cans in a lot is equal to or less than the required sample, he examines the entire lot.

**(d) Sample Size, MP Form 460**

This form will be used to determine required sample sizes and to report all examinations. Instructions on use, completion, and distribution of this form are in Part 20.

Table 27.1 - Sample selection

Cans	
In carton	To select
5 or less	All
6 - 12	6
13 - 60	12
61 - 230	16
231 or more	24

**27.12 PRODUCT EXAMINATION**

**(a) MPI Responsibility**

The inspector shall examine all lots of imported products offered for inspection. However, he will reject whole or partial shipments sufficiently affected by adverse conditions or damage without formally employing import examination.

If, during product examination, questionable defects or product dispositions arise, the inspector will contact his immediate supervisor for guidance.

Product examinations may invariably involve defrosting or exposure of samples to temperatures above 50° F. Thus, the inspector must assure that all samples, especially those of perishable products, are properly refrigerated after examination and before release.

When corresponding with FPS on shipments of imported product, such shipments shall be fully identified by: (1) amount of product (weight, cartons, size, and number of units in cartons); (2) country; (3) product name and brand; (4) name of vessel or car number; (5) foreign certificate number and U.S. Customs entry number; and (6) consignor's and consignee's name and address.

**(b) Canned, Packaged Product**

**(1) Container condition.** The inspector shall examine all canned product for container condition. However, product placed in cans after complete processing--Wesphalian hams, etc.--need not be subjected to this phase of inspection.

**(2) Undercooked product.** VS has specific requirements for products from restricted countries. One such requirement is that perishable canned pork products from European countries must be heated to specified internal temperature and exhibit a thoroughly cooked appearance. If, during product examination, undercooking is suspected,



inspectors will immediately contact the nearest VS representative for instructions. Such procedure must be followed for any suspected violations of VS requirements (see ANH Memo 593).

\* Inspectors will also notify FPS  
\* through appropriate channels.

\* One shipment in five of perishable  
\* canned pork products must be sampled  
\* for internal temperature determination.  
\* In the case of large cans, consult with  
\* PPQ as to sampling method. When internal  
\* temperatures (as determined by  
\* the phosphatase test for canned hams  
\* and by the coagulation test for other  
\* canned pork products) below 152° F.,  
\* are detected, the laboratory will  
\* teleprint the report to FPS, telecopier  
\* telephone No. (202) 447-6053. FPS will  
\* report the information to VS Import-  
\* Export (301) 436-8499 or to PPQ  
\* (202) 447-5283.

\* The following information must be  
\* entered on the MP Form 22 by the  
\* import inspector:

- \* 1. Foreign country and Est. No.
- \* 2. Name and type of product
- \* 3. Production code (can code)
- \* 4. Brand name
- \* 5. I.D. or Customs Entry number
- \* 6. Lot number

\* The additional information must be  
\* entered on the reverse side of the  
\* MP Form 22:

- \* 1. Importer
- \* 2. Consignee
- \* 3. Date of arrival
- \* 4. Port of entry
- \* 5. Name of vessel
- \* 6. Location of product
- \* 7. Inspector's name and return  
\* address
- \* 8. Other can codes in shipment
- \* 9. Size of entire shipment

\* This information may be placed on the  
\* MP Form 22 by means of a rubber stamp  
\* using the "fill in the blank" method.

\* Instructions regarding sampling plans,  
\* laboratories to be used, etc., will be  
\* given to the Regional Directors (PPQ and  
\* MPI) by PPQ/VS. FPS will coordinate the  
\* program with VS/PPQ to see that sample  
\* results are given to VS, inspectors are  
\* notified of sampling plans, and product

is no longer held when results are  
satisfactory. \*

PPQ inspectors will be instructed to  
assist MPI inspectors in any way to  
expedite the handling of large numbers  
of samples. \*

(3) Solid, mixed product. Table  
27.2 shall be used for sampling solid  
or mixed products.

Solid products include canned hams  
and picnics, slab bacon, or other prod-  
ucts primarily of a solid single unit.  
Mixed products include all other  
products.

Inspectors shall observe all outer  
surfaces and make at least one cut  
through all products to observe inner  
surfaces.

Since defect description and cri-  
teria for these products are not yet  
established, disposition is to be based  
on inspector's subjective judgment.

(4) Incubation. All lots of shelf-  
stable canned product shall be  
incubated after found acceptable on  
container condition and product exami-  
nation. Incubation samples shall  
consist of 24 units, randomly selected  
from entire lot. Only perfect units  
shall be selected. Products shall be  
incubated according to MPI regulations  
and Part 18 of this Manual.

At importer's request, the inspector  
may permit release of lots before  
incubation is completed, provided:

1. A good history of incubation com-  
pliance of same product is recorded--  
not less than the last three consecu-  
tive results from different shipments  
within the past 6 months.

2. The inspector does not have  
reason to suspect problems with incu-  
bation samples.

3. The importer agrees, in writing,  
to immediately recall any lot where  
signs of unsoundness appear during  
incubation.

(5) Defects. The inspector shall  
examine each can in the sample for  
defects listed on MP Form 460.

If defective cans scored as "loose

tins" are questionable for lack of vacuum, he should check one or more cans with a vacuum gauge, and score a suspected can as defect only if the gauge fails to register any vacuum.

**(6) Defect criteria tables.** The inspector shall use the defect criteria tables on MP Form 460 to determine acceptance, rejection, and, if requested by importer, acceptability to sort and represent rejected lots.

Lots with all cans included in the sample will be accepted if not more than one critical defect is found.

**(7) Defect removal.** All defects (critical) shall be removed from samples returned to accepted lots.

**(c) Net Weight**

Net weight checks on all lots of imported products shall be done as described in Subpart 18-K and recorded on the reverse side of MP Form 460, when applicable, or on MP Form 486.

**(d) Vignette, Declared Count**

During product examination of canned or packaged product, the inspector will also determine compliance of label vignette, including meat content and count (Subpart 18-L).

**(e) Boneless Meat**

It shall be examined by using sampling plans and defect criteria listed on MP Form 450. All examinations will be recorded on this form.

The inspector will refer to Part 20 for completion and distribution of this form, and to Part 18 for applicable instructions on boneless meat reinspection. Such reinspection will be performed also on frozen bulk-packed wholesale cuts, cooked meat, and edible horsemeat. When sampling these products, the inspector shall select 24-pound sample units, rather than 12-pound units for bulk-packed cuts.







UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND QUALITY SERVICE  
MEAT AND POULTRY INSPECTION PROGRAM  
WASHINGTON, D.C. 20250

MEAT AND POULTRY INSPECTION REGULATIONS

APRIL 1978

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NOTE: Pages 23 and 23a of the meat regulations were revised to correct a typographical error.

(§ 308.3 continued)

(g) The rooms and compartments in which any product is prepared or handled shall be free from dust and from odors from dressing and toilet rooms, catch basins, hide cellars, casing rooms, inedible tank and fertilizer rooms, and livestock pens.

(h) Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from official establishments. The use of poisons for any purpose in rooms or compartments where any unpacked product is stored or handled is forbidden, except under such restrictions and precautions as are prescribed by the regulations in this part or by the circuit supervisor in specific cases. The use of insecticides, rodenticides, and similar pest \* control substances in hide cellars, inedible product departments, outbuildings, \* or similar places, or in storerooms containing canned or tierced products is not forbidden but only those approved by the Administrator may be used.<sup>1</sup> So-called rat viruses shall not be used in any part of an establishment or the premises thereof.

(i) Dogs and cats shall be excluded from the interior of official establishments; however, dogs may be permitted on the outer premises for guard purposes.

#### § 308.4 Sanitary facilities and accommodations; specific requirements.

Adequate sanitary facilities and accommodations shall be furnished by every official establishment. Of these, the following are specifically required:

(a) Dressing rooms, toilet rooms, and urinals shall be sufficient in number, ample in size, and conveniently located. The rooms shall be provided with facilities to provide abundant light of good quality and well distributed. They shall be properly ventilated, and meet all requirements of the regulations in this part as to sanitary construction and equipment. They shall be separate from the rooms and compartments in which products are prepared, stored, or handled. Where both sexes are employed, separate facilities shall be provided.

(b) Acceptable lavatories, including running hot and cold water, soap, and towels, shall be placed in or near toilet and urinal rooms and also at such other places in the establishment as may be essential to assure cleanliness of all persons handling any product.

(c) Toilet soil lines shall be separate from house drainage lines to a point outside the building and drainage from toilet bowls and urinals shall not be discharged into a grease catch basin.

(d) Properly located facilities shall be provided for cleansing and disinfecting utensils and hands of all persons handling any product.

#### § 308.5 Equipment and utensils to be easily cleaned; those for inedible products to be so marked; evaluation of equipment and utensils.

(a) Equipment and utensils used for preparing or otherwise handling any edible product or ingredient thereof in any official establishment shall be of

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<sup>1</sup> A list of approved pest control substances is available upon request to Scientific Services, Meat and Poultry Inspection, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(§ 308.5(a) continued)

such material and construction as, in the judgment of the Administrator, will facilitate their thorough cleaning and insure cleanliness in the preparation and handling of all edible products and otherwise avoid adulteration and misbranding of such products. In addition to these requirements, equipment and utensils shall not in any way interfere with or impede inspection procedures. Receptacles used for handling inedible material shall be of such material and construction that, in the judgment of the Administrator, their use will not result in adulteration of any edible product or in insanitary conditions at the establishment, and they shall bear conspicuous and distinctive marking to identify them as only for such use and shall not be used for handling any edible products.

(b) When equipment or utensils for use in preparing or handling product are proposed for use in an official establishment, the operator of the establishment shall so notify the Administrator, and thereafter shall submit to the Administrator such information as the Administrator specifies in each case as necessary to determine whether the equipment or utensils meet the criteria specified in paragraph (a) of this section. The required information shall include, but may not be limited to, assembly type drawings and a list showing the materials of which parts are made. The Administrator will evaluate the model of equipment or utensil and determine whether it is acceptable for its proposed use under the criteria set forth in paragraph (a) of this section.

(c) The Administrator will, from time to time, prepare a listing by name and model number of equipment and utensils that have been evaluated and found to be acceptable for their proposed use in accordance with this section. A copy of such listing can be obtained from Technical Services, Meat and Poultry Inspection Program, Food Safety and Quality Services, U.S. Department of Agriculture, Washington, D.C. 20250.

(d) The Administrator may disapprove for use in official establishments particular models of equipment or utensils that he finds do not meet the requirements of paragraph (a) of this section or that he cannot evaluate because of lack of sufficient information. Further, he may prescribe such conditions for the use of particular models of equipment or utensils, either on a trial or permanent basis, as he finds necessary to prevent adulteration or misbranding of product.

(e) Nothing in this section shall affect the authority of Program inspectors to reject specific equipment or utensils under § 308.15 of the regulations in this subchapter.

(f) Before approval of any model or specific item of equipment or utensil is finally denied, or is granted only with conditions, the applicant shall be given notice and opportunity to present his views to the Administrator. If the applicant does not accept the Administrator's determination, a hearing in accordance with applicable rules of practice will be held to resolve such dispute. This shall not preclude rejection of the equipment or utensils under § 308.15 or this section pending the outcome of the presentation of views or hearing.



TITLE 9 - ANIMALS AND ANIMAL PRODUCTS

CHAPTER III - FOOD SAFETY AND QUALITY SERVICE  
(MEAT AND POULTRY INSPECTION)

DEPARTMENT OF AGRICULTURE

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## SUBCHAPTER B-VOLUNTARY INSPECTION AND CERTIFICATION SERVICE

### PART 350-SPECIAL SERVICES RELATING TO MEAT AND OTHER PRODUCTS

**AUTHORITY:** The provisions of this Part 350 issued under 34 Stat. 1260-1265, as amended, 41 Stat. 241, sec. 306, 46 Stat. 689, secs. 203, 205, 60 Stat. 1087, as amended; 7 U.S.C. 2201, 19 U.S.C. 1306, 21 U.S.C. 71-91, 96 7 U.S.C. 1622, 1624, unless otherwise noted.

**SOURCE:** The provisions of this Part 350 appear at 23 F.R. 9982, Dec. 23, 1958; 25 F.R. 9642, Oct. 7, 1960, as amended at 32 F.R. 13115, Sept. 15, 1967, unless otherwise noted. Redesignated at 30 F.R. 4195, Mar. 31, 1965. Redesignated at 35 F.R. 15554, Oct. 3, 1970.

#### § 350.1 Meaning of words.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

#### § 350.2 Definitions.

For the purposes of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

- (a) Department. The United States Department of Agriculture.
- (b) Service. The Food Safety and Quality Service of the Department.
- (c) Administrator. The Administrator of the Service or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.
- (d) [Reserved]
- (e) Inspector. Any officer or employee of the Department authorized to perform any duties under the regulations in this part.
- (f) Person. Any individual, corporation, company, association, firm, partnership, society, or joint stock company, or other organized group of any of the foregoing.
- (g) Federally inspected and passed. Inspected and passed under the Meat Inspection Act, as amended (21 U.S.C. 71 et seq.) or under the provisions in paragraphs 306 (b) and (c) of the Tariff Act of 1930 (19 U.S.C. 1306 (b) and (c)).
- (h) Official establishment. An establishment operated under Federal meat inspection pursuant to the Meat Inspection Act, as amended (21 U.S.C. 71 et seq.).
- (i) Food article. Any article of human food derived wholly or in part from meat, meat byproducts, or meat food products, which is not subject to the Federal meat inspection laws, and animal casings, for which the mark of Federal meat inspection is requested: Provided, That such articles and casings are derived from federally inspected and passed carcasses.
- (j) Reindeer. Domesticated reindeer.
- \* (k) Secretary. The Secretary of Agriculture of the United States, or any  
\* officer or employee of the Department to whom authority has heretofore been  
\* delegated, or may hereafter be delegated, to act in his stead in connection with  
\* the function involved.

[23 F.R. 9982, Dec. 23, 1958, as amended at 30 F.R. 258, Jan. 9, 1965; 30 F.R. 4195, Mar. 31, 1965; 32 F.R. 6021, Apr. 15, 1967; 32 F.R. 13115, Sept. 15, 1967]

§ 350.3 Types and availability of service.

Upon application in accordance with § 350.5 the following types of service may be furnished under the regulations in this part:

(a) Identification service. (1) Meat or other product that is federally inspected and passed at an official establishment, or upon importation, under the meat inspection laws, is officially marked to identify it as federally inspected and passed. In order to facilitate the division of such meat or other product into smaller portions or its combination into larger units and still maintain its identity as product which has been federally inspected and passed and so marked, inspectors may supervise the handling of the product and mark such portions or units with the marks of Federal inspection when they determine that the identity has been maintained.

(2) At the time service is furnished product must be sound, wholesome and fit for human food. The service will be available only on premises other than those of an official establishment. The sanitation of the plant or area where service is furnished must comply with applicable provisions of Part 308 of this chapter.

(3) The mark of inspection shall be applied only under the immediate supervision of an inspector.

(4) The service will be available for products moved in tank cars and tank trucks from an official establishment or from a location operating under this service only if such tank cars or tank trucks are equipped for sealing and are securely sealed by an employee of the Meat and Poultry Inspection Program of the Food Safety and Quality Service with an official seal of the Department bearing the inspection legend before leaving such official establishment or such other location.

(b) Certification service. At the request of a purchaser, supplier, exporter, or others, inspectors may make certification regarding livestock products for human food purposes (including casings), to be exported, as meeting conditions or standards that are not imposed or are in addition to those imposed by the regulations in Parts 301 through 331 of this chapter and the laws under which such regulations were issued.

(c) Food inspection service. An inspection and certification service for wholesomeness relating to the manufacture of a food article may be furnished upon application. All applicable provisions of this chapter shall apply to the preparation, labeling and certification of the food article prepared under this food inspection service.

(d) Reindeer inspection service. An inspection and certification service for wholesomeness relating to the slaughter of reindeer. All applicable provisions of this chapter shall apply to the slaughter of reindeer, and the preparation, labeling, and certification of the reindeer meat and reindeer products prepared under this reindeer inspection service. (Sec. 203, 60 Stat. 1087; 7 U.S.C. 1622 and 1624; 29 F.R. 16210) [25 F.R. 9642, Oct. 7, 1960, as amended at 30 F.R. 258, Jan. 9, 1965; 30 F.R. 8675, July 9, 1965; 32 F.R. 13115, Sept. 15, 1967]



§ 350.5 Application for service.

Any person who desires to receive service under the regulations in this part for meat or other product eligible therefor under such regulations may make application for service to the Administrator, upon an application form which will be furnished by the Administrator upon request.

§ 350.6 Denial or withdrawal of service.

(a) If any person has applied for service for meat or other product not eligible therefor under the regulations in this part, or has failed to make proper application for service or to pay fees and charges due for service furnished or to be furnished to him under the regulations in this part, or if the service cannot be furnished to any person applying therefor because of lack of available inspectors or other administrative reasons, the service may be denied to such person by the Administrator until the condition justifying such denial is corrected.

(b) Service under the regulations in this part may also be denied to  
\* any person by the Secretary for such period as he may deem proper, if it is \*  
determined, after opportunity for hearing before a proper official in the  
Department, that such person has been responsible for any willful misrepresentation to the Department concerning any meat or other product for which service has been requested under the regulations, in this part, or that such person has been responsible for the use without authority, or the imitation, of any marks or certificates of Federal meat inspection on or with respect to any meat or other product, or has otherwise been responsible for any fraudulent or deceptive practice with respect to such service, or that such person has interfered with or obstructed any inspector in the performance of his duties under the  
\* regulations in this part, or attempted to do so. When the Administrator deter- \*  
\* mines that the public interest so requires, he may deny or withdraw service \*  
\* provided for in this Part, without a hearing, pending final determination of \*  
\* the matter. The applicant or recipient of service involved shall be notified \*  
\* of the Administrator's decision to deny or suspend service and the reasons \*  
\* therefor, in writing, in the manner prescribed in § 1.147(b) of the rules of \*  
\* practice (7 CFR 1.147(b)), or orally. The Administrator's decision to deny or \*  
\* suspend the service shall be effective upon such oral or written notification, \*  
\* whichever is earlier, to the applicant or recipient of service. If such \*  
\* notification is oral, the Administrator shall confirm such decision and the \*  
\* reasons therefor, in writing, as promptly as circumstances permit, and such \*  
\* written confirmation shall be served upon the applicant or recipient of ser- \*  
\* vice, in the manner prescribed in § 1.147(b) of the rules of practice \*  
\* (7 CFR 1.147(b)). \*

§ 350.7 Fees and charges.

(a) Fees and charges for service under the regulations in this part shall be paid by the applicant for the service in accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant of a statement as to the amount due.

(§ 350.7 continued)

(c) The fees to be charged and collected for service under the regulations in this part shall be at the rate of \$14.12 per hour for base time, \$14.12 per hour for overtime including Saturdays, Sundays, and holidays, and \$21.32 per hour for laboratory service, to cover the costs of the service and shall be charged for the time required to render such service. Where appropriate, this time will include but will not be limited to the time required for the travel of the inspector or inspectors in connection therewith during the regularly scheduled administrative workweek.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

\* § 350.8 Scope and applicability of rules of practice. \*

\* The rules of practice of the Department of Agriculture in Subpart H of Part I, \*  
\* Subtitle A, Title 7 of the Code of Federal Regulations are the rules of practice \*  
\* applicable to adjudicatory, administrative proceedings under the regulations \*  
\* in this part (9 CFR Part 350). \*

[23 F.R. 9982, Dec. 23, 1958, as amended at 32 F.R. 13115, Sept. 15, 1967;  
35 F.R. 6856, Apr. 30, 1970]

#### PART 351-CERTIFICATION OF TECHNICAL ANIMAL FATS FOR EXPORT

AUTHORITY: The provisions of this Part 351 issued under secs. 203, 205, 60 Stat. 1087, 1090; 7 U.S.C. 1622, 1624.

SOURCE: The provisions of this Part 351 appear at 40 FR 58627, December 18, 1975.

#### DEFINITIONS

§ 351.1 Meaning of words.

Words used in this Part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 351.2 Terms defined.

When used in this Part, unless the context otherwise requires:

(a) "Department" means the United States Department of Agriculture.

(b) "Program" means the Meat and Poultry Inspection Program of the Food Safety and Quality Service of the Department.

(c) "Administrator" means the Administrator of the Food Safety and Quality Service of the Department, or any officer or employee of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) "Circuit supervisor" means an employee of the Program assigned to supervise and perform official work in a circuit. Such employee is assigned by and reports directly to the Administrator or person designated by him.

(e) "Inspector" means an employee of the Program or a cooperating State.

(§ 351.2 continued)

(f) "Circuit" means one or more inspected plants assigned to a circuit supervisor.

(g) "Recognized State" means any State not designated in § 331.2 of this chapter.

(h) "Cooperating State" means any State cooperating under § 351.7 in administration of the regulations in this Part.

(i) "Inspection" means ante-mortem and post-mortem inspection by Program inspectors or inspectors of a Meat Inspection Service of a recognized State.

(j) "Animals" means cattle, sheep, swine, goats, horses, mules and other equines.

(k) "Technical animal fat" means animal fat eligible for exportation, or storage for exportation, in accordance with § 325.11 of this chapter.

(l) "Certified technical animal fat" means technical animal fat certified

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(§ 351.14 continued)

(b) Supervision, ranging from full-time coverage of an entire process to one or more reviews per month, to determine a plant's compliance with the regulations in this Part will be maintained. A circuit supervisor may increase the frequency of reviews whenever he deems necessary to assure the validity of certifications under the regulations in this Part. Usual coverage of individual rendering plants will be as follows:

(1) Coverage shall be at least once a month if the plant consistently handles only raw materials acceptable under § 351.3 for the preparation of certified technical animal fat and the plant operator, in writing, certifies that he is maintaining this procedure.

(2) Coverage shall be at least once a week if the plant consistently handles some raw materials that are acceptable, and some that are unacceptable, under § 351.3, for the preparation of certified technical animal fat, uses separate equipment for processing, and uses separate rooms, compartments, and equipment for receiving and storing the respective types of raw materials and technical animal fats, and the plant operator, in writing, certifies that he is maintaining this complete physical separation procedure.

(3) Coverage shall be fulltime during receiving of raw materials and their preparation into certified technical animal fat, if the plant handles some raw materials that are acceptable, and some that are unacceptable, under § 351.3, for the preparation of certified technical animal fat, and uses the same rooms, compartments, and equipment, with only time separation between receiving, processing, and storing the respective types of raw materials and technical animal fats.

#### § 351.15 Reports of violations.

Inspectors shall report to the circuit supervisor any apparent violations of the regulations in this Part or the Federal Meat Inspection Act or regulations thereunder (Subchapter A of this chapter) which occur at certified plants, or elsewhere, within their knowledge. The circuit supervisor shall report such actions to the Administrator through appropriate channels.

#### TRANSPORTATION AND EXPORTATION OF CERTIFIED TECHNICAL ANIMAL FAT

#### § 351.16 Certificate required for shipments of technical animal fat.

No certified plant shall export any certified technical animal fat unless the shipment is accompanied by a certificate issued under § 351.3.

#### § 351.17 Identification required.

Certified technical animal fats being exported directly from a certified plant or transferred between certified plants for storage for export are subject to the requirements of § 325.11 of this chapter. In addition, such shipments between certified plants shall be accompanied by MP Form 85 (Declaration to Accompany Technical Animal Fats Between Certified Technical Animal Fat Plants)<sup>2/</sup> prepared by the operator of the certified plant from which shipment is made, certifying that the product has been obtained by

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<sup>2/</sup> Copy filed as part of the original document.

(§ 351.17 continued)

rendering raw materials derived from federally or State inspected and passed carcasses, or parts of carcasses. Technical animal fat described on MP Form 85 as tallow must meet the definition of "Tallow" in § 351.2.

#### PROHIBITIONS

§ 351.18 Official identifications; unauthorized use.

(a) The form of certification set forth in § 351.3 and the term "Certified Technical Animal Fat" are official identifications for purposes of the Agricultural Marketing Act of 1946, as amended, and shall not be falsely made, issued, altered, forged, or counterfeited, or used for purpose of misrepresentation or deception.

(b) No container which bears or is to bear any designation as certified technical animal fat shall be filled in whole or in part, except with technical animal fats which have been certified and identified in compliance with this Part.

#### REMEDIES: PENALTIES

§ 351.19 Refusal of certification for specific lots.

If an inspector has reason to believe that a lot of technical animal fat is ineligible for certification under § 351.3, or any materials to be used in a lot of technical animal fat would make the technical animal fat ineligible for such certification, certification of the lot shall be withheld pending final determination by the circuit supervisor. The operator of the plant shall be afforded an opportunity to demonstrate the eligibility of the lot for certification before the final determination is made.

§ 351.20 Withdrawal of service from certified plants.

(a) After opportunity for hearing has been accorded the operator of a certified plant, the certification service, provided for in this Part, may be withdrawn from such plant in accordance with the applicable rules of practice, if it is determined that:

(1) The operator, or his employee or agent:

(i) Has made any willful misrepresentation or engaged in any fraudulent or deceptive practice in connection with the service;

(ii) Has interfered with or obstructed any Program employee or other inspector in the performance of his duties, under the regulations in this Part, by intimidation, threats, or other improper means; or

(iii) Has violated section 203(h) of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622(h)), or any regulation in this Part; or

(2) Facilities or procedures at the certified plant do not conform to the arrangements approved by the Administrator under § 351.5.

(b) Pending final determination of the matter, the Administrator may summarily suspend the certification service at any certified plant when he has reason to believe that there is cause for withdrawal of the service under paragraph (a). The operator of the certified plant shall be notified of the

\*

\*

\* Administrator's decision to suspend summarily the certification service at such \*  
\* plant, and the reasons therefor, in writing, in the manner prescribed in \*  
\* § 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The Adminis- \*  
\* trator's decision to suspend summarily the certification service shall be effec- \*  
\* tive upon such oral or written notification, whichever is earlier, to the \*  
\* operator of the certified plant. If such notification is oral, the Administra- \*  
\* tor shall confirm such decision, and the reasons therefor, in writing, as \*  
\* promptly as circumstances permit, and such written confirmation shall be served \*  
\* upon the operator of the certified plant, in the manner prescribed in § 1.147(b) \*  
\* of the rules of practice (7 CFR 1.147(b)). \*

\* (c) The rules of practice of the Department of Agriculture in Subpart H \*  
\* of Part I, Subtitle A, Title 7 of the Code of Federal Regulations, are the \*  
\* rules of practice applicable to adjudicatory, administrative proceedings \*  
\* under the regulations in this Part (9 CFR Part 351). \*





(f) Changes in drawings or blueprints. When changes are proposed in areas for which drawings or blueprints have been previously approved, one of the following types of revised drawings or blueprints shall be submitted for review and consideration.

(1) A completely revised sheet or sheets showing proposed alterations or additions, or

(2) Approved pasters of the proposed changes which may be affixed to the affected areas on the previously approved drawings or blueprints in a manner not obscuring essential data. Paster drawings and blueprints shall be prepared to the same scale and presented on a background similar to that of the originally approved drawing or blueprint.

(g) Final survey and plant approval. Prior to the inauguration of the inspection service, a final survey of the plant and premises shall be made by the area supervisor or his assistant to determine if the plant is constructed and facilities are installed in accordance with the approved drawings and the regulations in this Part. The plant may be approved by the Administrator only when these requirements have been met, except that conditional approval for a specified limited time may be granted only under emergency conditions of restricted availability of facilities and construction materials, provided practices suitable to the Administrator are employed to effect adequate sanitary conditions in the plant.

#### § 354.35 Rejection of application.

Any application for inspection service may be rejected by the Administrator:

(a) Whenever the applicant fails to meet the requirements of the regulations prescribing the conditions under which the service is made available;

(b) Whenever the product is owned by or located on the premises of a person currently denied the benefits of the Act;

(c) Where any individual holding office or a responsible position with or having a substantial financial interest or share in the applicant is currently denied the benefits of the Act or was responsible in whole or in part for the current denial of the benefits of the Act to any person;

(d) Where the Administrator determines that the application is an attempt on the part of a person currently denied the benefits of the Act to obtain inspection service;

(e) Whenever the applicant, after an initial survey has been made in accordance with § 354.34(a), fails to bring the plant, facilities, and operating procedures into compliance with the regulations within a reasonable period of time; or

(f) Notwithstanding any prior approval whenever, before inauguration of service, the applicant fails to fulfill commitments concerning the inauguration of the service.

Each such applicant shall be promptly notified by registered mail of the reasons for the rejection. A written petition for reconsideration of such rejection may be filed by the applicant with the Administrator if postmarked or delivered within 10 days after the receipt of notice of the rejection. Such petition shall state specifically the errors alleged to have been made by the Administrator in rejecting the application. Within 20 days following the receipt of such a petition for reconsideration, the Administrator shall approve the application or notify the applicant by registered mail of the reasons for the rejection thereof.

§ 354.36 Withdrawal of application.

Any application for inspection service may be withdrawn by the applicant at any time before the service is performed upon payment, by the applicant, of all expenses incurred by the Service in connection with such application.

§ 354.38 Suspension of plant approval.

(a) Any plant approval given pursuant to the regulations in this Part may be suspended by the Administrator for:

(1) Failure to maintain plant and equipment in a satisfactory state of repair;

(2) The use of operating procedures which are not in accordance with the regulations in this Part; or

(3) Alterations of buildings, facilities, or equipment which cannot be approved in accordance with the regulations in this Part.

(b) During such period of suspension, inspection service shall not be rendered. However, the other provisions of the regulations pertaining to providing service on a resident basis will remain in effect unless such service is terminated in accordance with the provisions of this Part. If the plant facilities or methods of operation are not brought into compliance within a reasonable period of time, to be specified by the Administrator, the service shall be terminated. Upon termination of inspection service in an official plant pursuant to the regulations in this Part, the plant approval shall also become terminated, and all labels, seals, tags or packaging material bearing official identification shall, under the supervision of a person designated by the Service, either be destroyed, or the official identification completely obliterated, or sealed in a manner acceptable to the Service.

VIOLATIONS

§ 354.45 Denial of service.

(a) The acts or practices set forth in §§ 354.46 through 354.51 or the causing thereof may be deemed sufficient cause, for the debarment, by the Secretary, of any person, including any agents, officers, subsidiaries, or affiliates of such person, from any or all benefits of the Act for a specified period after notice and opportunity for hearing has been afforded. \*

(b) Whenever the Administrator has reason to believe that any person or his employee, agent, or representative has flagrantly or repeatedly committed any of the acts or practices specified in §§ 354.46 to 354.51, he may, without hearing, direct that the benefits of the Act be denied such person, including any agents, officers, subsidiaries, or affiliates of such person, pending investigation and hearing and shall give notice thereof to any such person in the manner prescribed in § 1.147(b) of the rules of practice (7 CFR 1.147(b)). \*  
\* The Administrator's decision to deny the benefits of the Act to any such person, \*  
\* including any agents, officers, subsidiaries, or affiliates of such person, \*  
\* shall be effective upon service of such notice. A written petition for reconsideration of such interim denial may be filed with the Administrator by any \*  
\* person so denied the benefits of the Act within 10 days after notice of the \*  
\* interim denial. Such petition shall state specifically the errors alleged to \*  
\* have been made by the Administrator in denying the benefits of the Act pending \*

(§ 354.35(b) continued)

\* investigation and hearing. Within 20 days following the receipt of such \*  
\* petition for reconsideration, the Administrator shall reinstate the benefits \*  
\* of the Act or notify the petitioner of the reasons for continued interim \*  
\* denial. \*

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packaging ready-to-cook rabbits shall be fully lined except when the individual carcasses to be packaged therein are fully wrapped.

(i) Protective coverings shall be used for the product in the plant and as it is distributed from the plant, as will afford adequate protection for the product against contamination by any foreign substance (including, but not being limited to, dust, dirt, and insects), considering the means intended to be employed in transporting the product from the plant.

(j) Refuse may be moved directly to loading docks only for prompt removal.

(k) Cleanliness and hygiene of personnel: (1) All employees coming in contact with exposed edible products or edible products handling equipment shall wear clean garments and should wear caps or hair nets, and shall keep their hands clean at all times while thus engaged.

(2) Hands of employees handling edible products or edible products handling equipment shall be free of infected cuts, boils, and open sores at all times while thus engaged.

(3) Every person, after each use of toilet or change of garments, shall wash his hands thoroughly before returning to duties that require the handling of edible products or containers therefor or edible products handling equipment.

(4) Neither smoking nor chewing of tobacco shall be permitted in any room where exposed edible products are prepared, processed, or otherwise handled.

#### § 354.244 Temperatures and cooling and freezing procedures.

Temperatures and procedures which are necessary for cooling and freezing of rabbits in accordance with sound commercial practice shall be maintained in the coolers and freezers, and chilling temperatures and procedures shall also be in accordance with sound commercial practice.

(a) Cooling. Immediately after evisceration and washing of the carcass, it shall be placed in a cooling tank containing running cold tap water to remove the animal heat from the carcass. Carcasses shall not be allowed to remain in the cooling tank for longer than 1 hour.

(b) Air chilling. Immediately after the initial water chilling, the carcasses shall be placed in cooling racks and thereupon placed in a refrigerated cooler with moderate air movements and a temperature which will reduce the internal temperature of the carcasses to from 36° F. to 40° F., both inclusive, within 24 hours.

(c) Freezing. (1) When ready-to-cook rabbits are packaged in bulk or shipping containers, the carcasses should be individually wrapped or packaged in water-vapor resistant cartons or the containers should be lined with heavy water-vapor resistant paper so as to assure adequate overlapping of the lining to completely surround the carcasses and to permit unsealed closure or sealing in such a manner that water-vapor loss from the product is considerably retarded or prevented. The rabbit carcasses should receive an initial rapid freezing under such packaging, temperature, air circulation, and stacking conditions which will result in freezing the carcasses solid in less than 48 hours.

(2) Frozen ready-to-cook rabbits shall be held under conditions which will maintain the product in a solidly frozen state with temperature maintained as constant as possible.

(d) Refrigeration. Immediately after packaging, all ready-to-cook rabbits, other than those which are shipped from the plant in a refrigerated

(§ 354.244(d) continued)

carrier, should be moved into the freezer, except that a period not exceeding 72 hours will be permitted for transportation and temporary holding before placing in the freezer provided such rabbits are held at not above 36° F.

§ 354.245 Vermin.

Every practicable precaution shall be taken to exclude flies, rats, mice, and other vermin from the official plant. Dogs, cats, and other pets shall be excluded from rooms where edible products are processed, handled, or stored.

§ 354.246 Exclusion of diseased persons.

No person affected with any communicable disease (including, but not being limited to, tuberculosis) in a transmissible stage shall be permitted in any room or compartment where exposed or unpacked edible products are prepared, processed, or otherwise handled.

§ 354.247 Table showing types of materials.

Equipment, utensils, and facilities	Iron	Stainless steel and monel metal	Aluminum	Galvanized Iron
Holding pens	A	A	A	A
Overhead conveyors	A	A	A	A
Conveyor track	A	A	---	A
Shackles	---	A	---	A
Shackle chain	A	A	---	A
Eviscerating pans	---	A	A	A
Inspection table	---	A	A	A
Inside and outside washer	---	A	A	A
Cooling tanks and racks	---	A	A	A
Utensils for handl- ing edible products	---	A	A	A
Framework (of equip- ment)	A	---	---	---

Key: A--Acceptable.

\* § 354.248 Scope and applicability of rules of practice. \*

\* The rules of practice of the Department of Agriculture in Subpart H of Part I, \*  
\* Subtitle A, Title 7 of the Code of Federal Regulations, are the rules of \*  
\* practice applicable to adjudicatory, administrative proceedings under the \*  
\* regulations in this Part (9 CFR Part 354). \*

PART 355-CERTIFIED PRODUCTS FOR DOGS, CATS, AND OTHER CARNIVORA;  
INSPECTION, CERTIFICATION, AND IDENTIFICATION AS TO CLASS,  
QUALITY, QUANTITY, AND CONDITION

AUTHORITY: The provisions of this Part 355 issued under secs. 203, 205,  
60 Stat. 1087, 1090; 7 U.S.C. 1622, 1624.

SOURCE: The provisions of this Part 355 appear at 23 F.R. 10107, Dec. 23, 1958; 25 F.R. 1357, Feb. 16, 1960, as amended at 32 F.R. 13115, Sept. 15, 1967, unless otherwise noted. Redesignated at 30 F.R. 4195, Mar. 31, 1965.

## DEFINITIONS

### § 355.1 Meaning of words.

Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

### § 355.2 Terms defined.

When used in this part unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(b) "Program" means the Meat and Poultry Inspection Program of the Food Safety and Quality Service of the United States Department of Agriculture.

(c) "Circuit supervisor" means an inspector of the Program assigned to supervise and perform official work at a circuit. Such inspector is assigned by and reports directly to the Administrator or other person designated by him.

(d) "Inspector" means an inspector of the Program.

(e) "Inspected plant" means any plant preparing certified products for dogs, cats, or other carnivora, at which inspection is maintained under the regulations contained in this part.

(f) "Circuit" means one or more inspected plants assigned to a circuit supervisor.

(g) "Animal protein supplement" means a product containing animal protein and other elements normal to the component for use in compounding a maintenance food for dogs, cats, and other carnivora.

(h) "Products" means the products for dogs, cats, and other carnivora marked, or to be marked, with the certification provided in this part.

(i) "Meat" means the U.S. inspected and passed and so identified clean, wholesome muscle tissue of cattle, sheep, swine, or goats which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus with or without the accompanying and overlying fat and the portions of skin, sinews, nerves, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing. It does not include the muscle found in the lips, snout, or ears.

(j) "Animal food meat byproduct" means the part other than meat which has been derived from one or more cattle, sheep, swine or goats that have been U.S. Inspected and Passed and is fit for use as animal food.

(k) "Horse meat" means the U.S. inspected and passed and so identified clean, wholesome muscle tissue of horses which is skeletal or which is found in the tongue, in the diaphragm, in the heart, or in the esophagus, with or without the accompanying and overlying fat and the portions of sinews, nerves, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing.

(l) "Animal food horse meat byproduct" means the part other than meat which has been derived from one or more horses that have been U.S. Inspected and Passed and is fit for use as animal food.



(§ 355.2 continued)

(m) "Mule meat" means the clean, sound, healthful, wholesome muscle tissue derived from mules as determined by ante-mortem and post-mortem inspection by an inspector in accordance with § 355.41. It includes muscle tissue which is found in the tongue, in the diaphragm, in the heart or in the esophagus, with or without the accompanying and overlying fat and the portions of sinews, nerves, and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing.

(n) "Animal food mule meat byproduct" means the part other than meat which has been derived from one or more mules that have been handled in accordance with § 355.41 and is fit for use as animal food.



provision of the regulations in this part or of instructions or directions issued thereunder; (b) makes any willful misrepresentation or engages in any fraudulent or deceptive practice in connection with the making of any application for service; (c) violates § 355.37; or (d) interferes with or obstructs any Program employee in the performance of his duties under the regulations in this part by intimidation, threats, or other improper means. Pending final determination of the matter, the Administrator may suspend such inspection, certification, and identification without hearing in cases of willfulness or those in which the public health, interest, or safety requires such action. The operator of the inspected plant shall be notified of the Administrator's decision to suspend such inspection, certification, or identification service, and the reasons therefor, in writing, in the manner prescribed in § 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The Administrator's decision to suspend such inspection, certification, or identification service shall be effective upon such oral or written notification, whichever is earlier, to the operator of the plant. If such notification is oral, the Administrator shall confirm such decision and the reasons therefor, in writing, as promptly as circumstances permit, and such written confirmation shall be served upon the operator of the inspected plant, in the manner prescribed in § 1.147(b) of the rules of practice (7 CFR 1.147(b)). In other cases, prior to the institution of proceedings for any withdrawal or suspension, the facts or conduct which may warrant such action shall be called to the attention of the operator in writing and he shall be given an opportunity to demonstrate or achieve compliance with the requirements of the regulations in this part and instructions and directions issued thereunder.

#### APPEALS

§ 355.39 Appeals from decisions made under this part.

Any appeal from a decision by an employee of the Program shall be made to his immediate superior having jurisdiction over the subject matter of the appeal.

#### REPORTS

§ 355.40 Plants to furnish information for reports.

Each day the operator of every inspected plant shall furnish the inspector assigned to that plant with a statement of the number of pounds of product certified by the inspector.

#### MULE MEAT AND ANIMAL FOOD, MULE MEAT BYPRODUCT

§ 355.41 Ante-mortem and post-mortem inspection for mules.

(a) (1) An ante-mortem examination and inspection shall be made of all mules about to be slaughtered for use in the preparation of products under this part, before their slaughter shall be allowed for such use. Such inspection shall be made on the day of slaughter.

(2) Mules found on such inspection to show symptoms of disease shall be set apart and slaughtered separately. Those found to be affected with strangles, purpura hemorrhagica, azoturia, infectious equine encephalomyelitis,

toxic encephalomyelitis (forage poisoning), infectious anemia (swamp fever), dourine, acute influenza, generalized osteoporosis, glanders, farcy, or other malignant disorder, acute inflammatory lameness or extensive fistula, shall be condemned and destroyed. Any mule which is suspected on ante-mortem inspection of being infected with glanders shall be tested with mallein, and any mule which on physical examination is suspected of being affected with dourine shall be held for further examination or for such test as the Administrator may prescribe.

(b) (1) A careful post-mortem examination and inspection shall be made of all carcasses and parts thereof of all mules inspected under this section, at the time of slaughter. All carcasses and parts of mules found to be affected with any disease listed under paragraph (a) of this section shall be condemned and destroyed.

(2) Other carcasses and parts of mules found abnormal or diseased upon inspection under this section shall be disposed of in accordance with such provisions of the meat inspection regulations (Subchapter A of this Chapter) as are deemed applicable by the Administrator.

#### § 355.42 Marking of mule meat and animal food mule meat byproduct.

All mule meat and animal food mule meat, byproduct inspected under this part shall be marked and identified as the Administrator may require in any particular case.

#### \* § 355.43 Scope and applicability of rules of practice. \*

\* The rules of practice of the Department of Agriculture in Subpart H of Part I, \*  
\* Subtitle A, Title 7 of the Code of Federal Regulations, are the rules of prac- \*  
\* tice applicable to adjudicatory, administrative proceedings under the regula- \*  
\* tions in this Part (9 CFR Part 355). \*

[25 F.R. 1357, Feb. 16, 1960, as amended at 32 F.R. 13115, Sept. 15, 1967]

### PART 362-VOLUNTARY POULTRY INSPECTION REGULATIONS

AUTHORITY: Secs. 203, 205; 60 Stat. 1087, 1090; 7 U.S.C. 1622, 1624; 37 FR 28464, 28477.

#### § 362.1 Definitions.

The definitions in Section 381.1 are incorporated in this Part except for the definitions found in 381.1(b)(2), 381.1(b)(5), 381.1(b)(26), 381.1(b)(28), 381.1(b)(40), 381.1(b)(41), 381.1(b)(42), 381.1(b)(46), and 381.1(b)(56) which are excluded in section 362.2(a). In addition to those definitions, the following definitions will be applicable to the regulations in this Part:

(a) Act. "Act" means the Agricultural Marketing Act of 1946, as amended (60 Stat. 1087, as amended; 7 U.S.C. 1621 et seq.).

(b) Inspector. "Inspector" means any officer or employee of the Department authorized to perform any duties under the regulations in this Part.

(c) Person. "Person" means any individual, corporation, company, association, firm, partnership, society, or joint stock company, or other organized business unit.

<sup>s</sup>  
(§ 362.1 continued)

(d) Poultry. "Poultry" means any migratory water fowl, game bird or squab, whether live or dead.

(e) Poultry product. "Poultry product" means any poultry carcass or part thereof; or any human food product which is made wholly or in part from any poultry carcass or part thereof; or any human food product which is made wholly or in part from the carcass of any domesticated bird (chickens, turkeys, ducks, geese, or guineas) and is excepted from the inspection requirements of the Poultry Products Inspection Act (21 U.S.C. 451 et seq.).

#### § 362.2 Types and availability of service.

Upon application, in accordance with § 362.3, the following types of service may be furnished under the regulations in this part:

(a) Inspection service. An inspection and certification service for wholesomeness relating to the slaughter and processing of poultry and the processing of poultry products. All provisions of Subchapter C of this chapter shall apply to the slaughter of poultry, and the preparation, labeling, and certification of the poultry and poultry products processed under this poultry inspection service except for the following provisions: 381.1(b)(2), 381.1(b)(5), 381.1(b)(26), 381.1(b)(28), 381.1(b)(40), 381.1(b)(41), 381.1(b)(42), 381.1(b)(46), 381.1(b)(56), 381.3(a), 381.6, 381.10, 381.13-381.17, 381.21, 381.29, 381.39-381.42, 381.175(a)(2), 381.175(a)(3), 381.179, 381.185-381.187, 381.192, and 381.195-381.225.

(b) Export certification service. At the request of any person intending to export any slaughtered poultry or poultry product, inspectors may make certification regarding products for human food purposes, to be exported, as meeting conditions or standards that are not imposed or are in addition to those imposed by the regulations in Part 381 of this chapter and the laws under which such regulations were issued.

#### § 362.3 Application for service.

Any person who desires to receive service under the regulations in this Part for poultry or other product eligible therefor under such regulations may make application for service to the Administrator, upon an application form which will be furnished by the Administrator upon request to the Meat and Poultry Inspection Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250. The application must include all the information called for by that form. In case of change of name, ownership, management, or location, a new application shall be made.

#### § 362.4 Denial or withdrawal of service.

(a) For disciplinary reasons: (1) Bases for denial or withdrawal. An application or request for service may be rejected, or the benefits of the service may be otherwise denied to, or withdrawn from, any person who, or whose employee or agent in the scope of his employment or agency, (i) has willfully made any misrepresentation or has committed any other fraudulent or deceptive practice in connection with any application or request for service under the regulations in this chapter; (ii) has given or attempted to give, as a loan or for any other purpose, any money, favor, or other thing of value, to any employee of the Department authorized to perform any function under the



regulations in this chapter; (iii) has interfered with or obstructed, or attempted to interfere with or to obstruct, any employee of the Department in the performance of his duties under the regulations in this chapter by intimidation, threats, assaults, abuse, or any other improper means; (iv) has knowingly falsely made, issued, altered, forged, or counterfeited any official certificate, memorandum, mark, or other identification, or device authorized or issued under this chapter; (v) has knowingly uttered, published, or used as true any such falsely made, issued, altered, forged, or counterfeited certificate, memorandum, mark, identification, or device; (vi) has knowingly obtained or retained possession of any such falsely made, issued, altered, forged, or counterfeited certificate, memorandum, mark, identification, or device, or of any carcass or poultry or product bearing any such falsely made, issued, altered, forged or counterfeited certificate, memorandum, mark, or identification; (vii) has knowingly represented that any carcass, poultry, or product has been officially inspected and passed (by an authorized inspector) under this chapter, when it had not in fact been so inspected; (viii) has, within the previous 10 years, been convicted of any felony or more than one misdemeanor under any law based upon the acquiring, handling, or distributing of adulterated, mislabeled, or deceptively packaged food, or fraud in connection with transactions in food, or any felony indicating a lack of the integrity needed for the conduct of operations affecting the public health; (ix) has in any manner not specified in this paragraph violated subsection 203(h) of the Act: Provided, That subdivision (vi) of this subparagraph shall not be deemed to be violated if the person in possession of any item mentioned therein notifies the inspector without delay that he has possession of such item and, in the case of an official device, surrenders it to the inspector, and, in the case of any other item, surrenders it to the inspector or destroys it or brings it into compliance with the regulations by obliterating or removing the violative features under supervision of the inspector; And provided further, That an application or a request for service may be rejected, or the benefits of the service may be otherwise denied to, or withdrawn from, any person who operates an establishment for which he has made application for service if, with the knowledge of such operator, any other person conducting any operations in such establishment has committed any of the offenses specified in subdivisions (i) through (ix) of this subparagraph after such application was made. Moreover, an application or a request for service made in the name of a person otherwise eligible for service under the regulations may be rejected, or the benefits of the service may be otherwise denied to, or withdrawn from, such a person (a) in case the service is or would be performed at an establishment operated (1) by a corporation, partnership, or other person from whom the benefits of the service are currently being withheld under this chapter, or (2) by a corporation, partnership, or other person having an officer, director, partner, or substantial investor from whom the benefits of service under this chapter are currently being withheld and who has any authority with respect to the establishment where service is or would be performed, or (b) in case the service is or would be performed with respect to any poultry or product in which any corporation, partnership, or other person within (a)(1) of this subdivision has a contract or other financial interest.

- \* (2) Procedure. An application or request for service may be rejected, \*  
\* or benefits of the service may be otherwise denied to or withdrawn by the \*  
\* Secretary, as provided by this paragraph, after notice and opportunity for \*  
\* hearing before a proper official of the Department. The Administrator may \*



\* reject an application or request for service or deny or withdraw service under \*  
\* this paragraph without hearing, pending final determination of the matter, \*  
\* when he determines that the public interest so requires. The operator or \*  
\* applicant of such plant shall be notified of the Administrator's decision to \*  
\* reject the application or request for service or to deny or withdraw such \*  
\* service, and the reasons therefor, in writing, in the manner prescribed in \*  
\* section 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The \*  
\* Administrator's decision to reject an application or request for service or to \*  
\* deny or withdraw the benefits of service under the Act shall be effective upon \*  
\* such oral or written notification, whichever is earlier, to the operator or \*  
\* applicant of such plant. If such notification is oral, the Administrator \*  
\* shall confirm such decision, and the reasons therefor, in writing, as promptly \*  
\* as circumstances permit, and such written confirmation shall be served upon the \*  
\* operator or applicant of such plant in the manner prescribed in section 1.147(b) \*  
\* of the rules of practice (7 CFR 1.147(b)). \*

(b) For correctable cause.

(1) Basis for denial or withdrawal. An application or request for  
service may be rejected, or the benefits of the service may be otherwise denied  
to, or withdrawn from, any person whose establishment does not meet the require-  
ments as to premises, facilities, and equipment, and the operation thereof,  
prescribed in the regulations to prevent the distribution of adulterated  
poultry or poultry products, or who has not received approval of labeling and  
containers to be used at the establishment as required by the regulations.

\* (2) Procedure. An application or request for service may be rejected, \*  
\* or benefits of the service may be otherwise denied to or withdrawn by the \*  
\* Secretary, as provided by this paragraph, after notice and opportunity for \*  
\* hearing before a proper official of the Department. The Administrator may \*  
\* reject an application or request for service or deny or withdraw service under \*  
\* this paragraph without hearing, pending final determination of the matter, \*  
\* when he determines that the public interest so requires. The operator or \*  
\* applicant of such plant shall be notified of the Administrator's decision to \*  
\* reject the application or request for service or to deny or withdraw such ser- \*  
\* vice, and the reasons therefor, in writing, in the manner prescribed in \*  
\* section 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. The \*  
\* Administrator's decision to reject an application or request for service or to \*  
\* deny or withdraw the benefits of service under the Act shall be effective upon \*  
\* such oral or written notification, whichever is earlier, to the operator or \*  
\* applicant of such plant. If such notification is oral, the Administrator shall \*  
\* confirm such decision, and the reasons therefor, in writing, as promptly as \*  
\* circumstances permit, and such written confirmation shall be served upon the \*  
\* operator or applicant of such plant in the manner prescribed in section 1.147(b) \*  
\* of the rules of practice (7 CFR 1.147(b)). \*

(c) For miscellaneous reasons. An application or a request for service  
may be rejected, or the benefits of the service may be otherwise denied to,  
or withdrawn from, any person, without a hearing, by the official in charge of  
the appropriate regional office, with the concurrence of the Regional Director  
(1) for administrative reasons such as the nonavailability of personnel to  
perform the service; (2) for the failure to pay for service; (3) in case the  
application or request related to birds or products which are not eligible for  
service under Part 362; or (4) in case the person is a partnership, corporation,

or other person from whom the benefits of the service are currently being withheld under paragraph (a) of this section. Notice of such denial or withdrawal, and the reasons therefor, shall promptly be given to the person involved. The operator or applicant of such plant shall be notified of such decision to reject an application or request for service or to deny or withdraw the benefits of the service, and the reasons therefor, in writing, in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)), or orally. Such decision shall be effective upon such oral or written notification, whichever is earlier, to the operator or applicant of such plant. If such notification is oral, the person making such decision shall confirm such decision, and the reasons therefor, in writing, as promptly as circumstances permit, and such written confirmation shall be served upon the operator or applicant of such plant in the manner prescribed in section 1.147(b) of the rules of practice (7 CFR 1.147(b)).

(d) Scope and applicability of rules of practice. The rules of practice of the Department of Agriculture in Subpart H of Part I, Subtitle A, Title 7 of the Code of Federal Regulations, are the rules of practice applicable to adjudicatory, administrative proceedings under the regulations in this Part (9 CFR 362).

#### § 362.5 Fees and charges.

(a) Fees and charges for service under the regulations in this Part shall be paid by the applicant for the service in accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant a statement as to the amount due.

(c) The fees to be charged and collected for service under the regulations in this part shall be at the rate of \$14.12 per hour for base time, \$14.12 per hour for overtime including Saturdays, Sundays, and holidays, and \$21.32 per hour for laboratory service to cover the costs of the service and shall be charged for the time required to render such service, including but not limited to the time required for the travel of the inspector or inspectors in connection therewith during the regularly scheduled administrative work-week.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

(§ 381.80(a) continued)

charge, and if the inspector in charge is in doubt concerning the disposition to be made, specimens from such carcasses shall be forwarded to the Inspection Service laboratory for diagnosis.

(b) All carcasses, organs, or other parts of carcasses of poultry shall be condemned if it is determined on the basis of a sound statistical sample that they are adulterated because of the presence of any biological residues.

#### § 381.81 Tuberculosis.

Carcasses of poultry affected with tuberculosis shall be condemned.

#### § 381.82 Diseases of the leukosis complex.

Carcasses of poultry affected with any one or more of the several forms of the avian leukosis complex shall be condemned.

#### § 381.83 Septicemia or toxemia.

Carcasses of poultry showing evidence of any septicemic or toxemic disease, or showing evidence of an abnormal physiologic state, shall be condemned.

#### § 381.84 Airsacculitis.

Carcasses of poultry with evidence of extensive involvement of the air sacs with airsacculitis or those showing airsacculitis along with systemic changes shall be condemned. Less affected carcasses may be passed for food after complete removal and condemnation of all affected tissues including the exudate.

#### § 381.85 Special diseases.

Carcasses of poultry showing evidence of any disease which is characterized by the presence, in the meat or other edible parts of the carcass, of organisms or toxins dangerous to the consumer, shall be condemned.

#### § 381.86 Inflammatory processes.

Any organ or other part of a carcass which is affected by an inflammatory process shall be condemned and, if there is evidence of general systemic disturbance, the whole carcass shall be condemned.

#### § 381.87 Tumors.

Any organ or other part of a carcass which is affected by a tumor shall be condemned and when there is evidence of metastasis or that the general condition of the bird has been affected by the size, position, or nature of the tumor, the whole carcass shall be condemned.

#### § 381.88 Parasites.

Organs or other parts of carcasses which are found to be infested with parasites, or which show lesions of such infestation shall be condemned and, if the whole carcass is affected, the whole carcass shall be condemned.



§ 381.89 Bruises.

Any part of a carcass which is badly bruised shall be condemned and, if the whole carcass is affected as a result of the bruise, the whole carcass shall be condemned. Parts of a carcass which show only slight reddening from a bruise may be passed for food.

§ 381.90 Cadavers.

Carcasses of poultry showing evidence of having died from causes other than slaughter shall be condemned.

§ 381.91 Contamination.

(a) Carcasses of poultry contaminated by volatile oils, paints, poisons, gases, scald vat water in the air sac system, or other substance which render the carcasses adulterated shall be condemned. Any organ or other part of a carcass which has been accidentally mutilated in the course of processing shall be condemned, and if the whole carcass is affected, the whole carcass shall be condemned.

\* (b)(1) Any carcass of poultry accidentally contaminated during slaughter \*  
\* with digestive tract contents shall not be condemned if promptly reprocessed \*  
\* under the supervision of an inspector and thereafter found not to be \*  
\* adulterated. Contaminated surfaces that are cut shall be removed only by \*  
\* trimming. Contaminated inner surfaces that are not cut may be cleaned by \*  
\* trimming alone, or at an approved reprocessing station away from the main \*  
\* processing line, by any method that will remove the contamination, such as \*  
\* vacuuming, washing, and trimming, singly or in combination. \*

\* All visible specks of contamination must be removed, and if the inner \*  
\* surfaces are reprocessed other than solely by trimming, all surfaces of the \*  
\* carcass shall be treated with chlorinated water containing 20 ppm available \*  
\* chlorine. \*

\* (2) An area will be designated as an approved reprocessing station only \*  
\* if the Administrator determines that reprocessing operations can be conducted \*  
\* in that area in accordance with all of the requirements of this Part, and that \*  
\* the reprocessing methods to be utilized are capable of removing all visible \*  
\* specks of contamination on the inner surface of a carcass. Requests for such \*  
\* approval shall be submitted to the inspector in charge and shall describe the \*  
\* proposed area, proposed methods of reprocessing, and proposed equipment to be \*  
\* utilized. Whenever the Administrator finds that reprocessing operations \*  
\* cannot be conducted in such area in accordance with all of the requirements of \*  
\* this part or that the reprocessing methods utilized are not capable of removing \*  
\* all visible specks of contamination on the inner surface of a carcass, he may \*  
\* withdraw approval of such area, effective upon oral or written notification, \*  
\* whichever is earlier, to the operator of the establishment. In the event of \*  
\* oral notification, a written confirmation thereof shall be given to the \*  
\* operator as promptly as circumstances permit. The notification shall specify \*  
\* the reasons for such withdrawal and shall afford the operator of the \*  
\* establishment an opportunity to present his views. In any instance where \*  
\* there is a conflict as to the facts, a hearing shall be held to resolve such \*  
\* conflict. \*



§ 381.92 Overscald.

Carcasses of poultry which have been overscalded, resulting in a cooked appearance of the flesh, shall be condemned.

§ 381.93 Decomposition.

Carcasses of poultry deleteriously affected by post-mortem changes shall be disposed of as follows:

(a) Carcasses which have reached a state of putrefaction or stinking fermentation shall be condemned.

(b) Any part of a carcass which is green struck shall be condemned and, if the carcass is so extensively affected that removal of affected parts is impracticable, the whole carcass shall be condemned.

(c) Carcasses affected by types of post-mortem change which are superficial in nature may be passed for human food after removal and condemnation of the affected parts.

Subpart L-Handling and Disposal of Condemned or Other Inedible Products at  
Official Establishments

§ 381.95 Disposal of condemned poultry products.

All condemned carcasses, or condemned parts of carcasses, or other condemned poultry products, except those condemned for biological residues shall be disposed of by one of the following methods, under the supervision of an



[3410-37]

**Food Safety and Quality Service**

[9 CFR Part 381]

**WATER IN POULTRY CHILLERS**

**Adjustment in Required Levels**

**AGENCY:** Food Safety and Quality Service USDA.

**ACTION:** Proposed rule.

**SUMMARY:** This proposal would amend the Federal poultry products inspection regulations to authorize operators of poultry establishments to reduce the required amount of fresh water input to continuous poultry chillers by 50 percent provided the incoming water contains 20 parts per million (ppm) available chlorine. This proposal is necessary in order to allow the reduction of water consumption by poultry establishments.

**DATE:** Comments must be received on or before July 3, 1978.

**ADDRESSES:** Written comments to: Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Agriculture Building, Washington, D.C. 20250. Oral comments on poultry products inspection regulations to: Dr. Lyons, Area Code 202-447-3219.

**FOR ADDITIONAL INFORMATION ON COMMENTS, SEE SUPPLEMENTARY INFORMATION.**

**FOR FURTHER INFORMATION CONTACT:**

Dr. J. P. Lyons, Inspection Standards and Regulations Staff, Meat and Poultry Inspection Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250. Area Code 202-447-3219.

**SUPPLEMENTARY INFORMATION:**

**COMMENTS**

Interested persons are invited to submit comments concerning this proposal. Written comments must be sent in duplicate to the Hearing Clerk. Comments should bear a reference to the date and page number of this issue of the FEDERAL REGISTER. Any person desiring opportunity for oral presentation of views must make such request to Dr. J. P. Lyons so that arrangements may be made for such views to be presented. A transcript shall be made of all views orally presented. All comments submitted pursuant to this notice will be made available for public inspection in the Office of the Hearing Clerk during regular hours of business.

**CHILLING OF POULTRY**

Freshly slaughtered poultry must be cooled quickly in order to prevent spoilage. This is usually accomplished

by immersion in tanks of water chilled by ice or by mechanical means. These tanks hold several thousands of gallons of water and are called continuous chillers. As elsewhere in nature, all poultry carcasses have a resident flora of bacteria. It has been shown that passage of the carcasses through a continuous chiller reduces the number of bacteria. However, this reduction is partially offset because simultaneous to chilling a slow but continuing bacterial growth occurs. The amount of growth depends on the circumstances of chiller capacity, time, temperature, cleanliness of ingoing carcasses, chlorination, water exchange, and other similar factors.

Section 381.66(c)(2)(ii) of the poultry products inspection regulations sets minimum levels of water exchange in continuous poultry chillers. These levels are on a per carcass basis. The regulations require at least one gallon for each turkey and at least one-half gallon for each frying chicken. At the time these levels of water exchange were established, water supplies seemed limitless, and the disposal of this amount of water from the processing plant posed no problem in either the immediate or foreseeable future.

Further, at the time a minimum quantity limit was first imposed on chiller water, the limit was placed upon frying chickens and "proportionately more" was required for other species. Later, a limit was added specifically to cover turkeys. The Administrator now believes that, as far as the quantity of chiller water is concerned, geese should be treated the same as turkeys because of the similarity in the amount of surface area to be chilled, and ducks and guineas should be treated the same as chickens for the same reason. Therefore, a prescribed amount can be proposed for each species of poultry thus eliminating a potential source of varying interpretation. The prescribed amount would be, in any case, a minimum and if in a specific case more water is required to maintain the chiller in a sanitary condition, the inspector in charge may require the plant to use more water.

**WATER AND POULTRY PRODUCTION**

Water has now become a critical resource and the disposal of large amounts of water an economic and an environmental concern. The Department recognizes the cost significance of these concerns and is committed to a cooperative effort to reduce industry water usage. Although poultry processors have generally taken steps to reduce their water consumption in recent years, they are still among the most water intensive processors in the food industry. Water reduction efforts recently undertaken by the Depart-



ment include a comprehensive review of all regulatory requirements and policies related to the use of water in poultry processing. Recently, the Administrator was asked whether the amount of intake water presently required by regulation for chilling poultry was necessary or whether lesser amounts would accomplish the same end. The poultry industry in Virginia also raised the same question with research and extension personnel at the Virginia Polytechnic Institute and State University (VPI).

A study of the attributes of poultry chillers (turbidity, suspended solids, microbiological profile, and pH) which may affect the condition of the product or chill media, was conducted by VPI. The study reported that, for the circumstances studied, 50 percent reduction in water exchange rate for the several kinds of poultry had no significant effect on the quality of the product or the chill media.

#### USDA STUDIES

The Department undertook field studies of its own to see if currently required water intake levels could be adjusted. These were run in locations different from the VPI studies. The field studies emphasized the relationship of water intake to the microbiological quality of the poultry and that of the chill media. At the same time, review of the available literature and a consideration of the findings of a Department advisory committee on salmonellae was undertaken. This is of interest because salmonellae bacteria have been frequently associated with food infection episodes traced to poultry.

The results of those Department field tests showed that the total number of bacteria remaining on representative carcasses removed from chill tanks tended to increase when the intake water was reduced.<sup>2</sup> The average increase in bacterial level corresponding to a 50 percent water reduction was estimated at 1.8 times on carcasses and 1.5 in the water for broiler chickens. The median increase in the bacterial level was estimated at 1.8 times on carcass and 1.7 in the water. The latter estimate is generally considered to give a better expression of the change. The data available describing bacterial levels on turkeys compares the loads at 170 percent of the minimal per bird water requirement with that at 50 percent. The cor-

responding average increases were 3.2 times on the carcasses and 3.2 times in the chill water, with median values at 3.9 times and 2.1 times respectively. Interpolating these data to estimate the increases in bacterial levels that might be expected when water is reduced from the minimal (100 percent) per bird requirement to 50 percent of that level indicates that the average increase for carcasses would be 1.3 times and for chill water would be 1.3 times with median values at 1.6 and .9 times respectively. These increases are comparable to those obtained for the broiler chickens. Although a microbiological standard for such poultry carcasses has not been established, the significance of these increases in the bacteria level from a public health standpoint does not appear to be great. There is, however, a departmental policy that calls for an all out effort to reduce the number of organisms on food wherever they are present with specific reference to those of the *Salmonella* variety.

#### EFFECT OF CHLORINATION

The bactericidal properties of chlorine on bacterial cells in general and on salmonellae in particular are well documented. A 20 ppm value of available chlorine was established as proper for poultry operations from recommendations contained in documents received from the public concerning a related rulemaking action "Poultry Slaughter Practices," 42 FR 41873.<sup>3</sup> Some of these references are: Barnes, E. M. and Mead 1971. Clostridia and Salmonellae In Poultry Processing. Poultry Disease and World Economy. 47-63 Drenniak, E. A. et al. 1954. Studies on Sanitizing Methods for Use In Poultry Processing. USDA Circular No. 930. Reprinted without change in text 1964. Nilsson, T. and Regner, B. 1963. The Effect of Chlorine in the Chilling Water on Salmonellae in Dressed Chicken. Acta. Vet. Scand. 4: 307-312. Waybeck, C. J. et al. 1968. Salmonella and Total Count Reduction in Poultry Treated with Sodium Hypochlorite Solutions. Pov. Sci. 47. 1090-1094

Since the Department studies showed an increase in bacterial numbers, when the fresh water intake of continuous poultry chillers is reduced to 50 percent of the current requirements, an unconditional change would not be consistent with departmental

policy. However, in view of the antibacterial action of chlorine, the Department proposes a 50 percent water reduction in conjunction with intake water that contains 20 parts per million (ppm) available chlorine in the continuous poultry chillers. This would appear to be in the public interest in resource and environmental management. The Department believes that this could be achieved with no detrimental effect on the wholesomeness of poultry available to consumers.

Therefore, the Food Safety and Quality Service is proposing to amend the first sentence of §381.66(c)(2)(ii) of the poultry products inspection regulations to read as follows:

§381.66 Temperatures and chilling and freezing procedures.

(c) \*\*\*  
(2) \*\*\*

(ii) With respect to continuous chilling systems, the fresh water intake in the first section of the system, after all sections of the system are filled with water, shall be not less than one-half gallon per chicken, duck, or guinea, and not less than one gallon per goose or turkey: *Provided*, That if the fresh water intake, including that used to fill chillers but excluding ice, consists entirely of fresh water that contains 20 ppm available chlorine, the fresh water intake shall be not less than one-fourth gallon per chicken, duck or guinea, and not less than one-half gallon per goose or turkey.

NOTE.—The Food Safety and Quality Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Done at Washington, D.C., on March 29, 1978.

ROBERT ANGELOTTI,  
Administrator, Food Safety and  
Quality Service.

[FR Doc. 78-8710 Filed 4-3-78; 8:45 am]

<sup>2</sup>A copy of these tests will be on file in the Office of the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. Additionally, copies will be provided free upon request to Dr. J. P. Lyons, Inspection Standards and Regulations Staff, Technical Services, Meat and Poultry Inspection Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250.

<sup>3</sup>A copy of these documents will be on file in the Office of the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. Additionally, copies will be provided free upon request to Dr. J. P. Lyons, Inspection Standards and Regulations Staff, Technical Services, Meat and Poultry Inspection Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250.



MEAT AND POULTRY INSPECTION (MPI)  
PUBLICATIONS

**Issuances of the Meat and Poultry Inspection Program.** This publication is published monthly by the Issuance Coordination Staff, and includes selected CFR amendments, MPI bulletins, and MPI directives; changes to the Meat and Poultry Inspection Manual; and changes to the Meat and Poultry Inspection Regulations. Subscription for 1 year (12 issues) is \$13.00 in U.S. and possessions, and \$16.25 in other countries; cost of one copy is \$1.25 in U.S. and possessions and \$1.75 in other countries.

**Meat and Poultry Inspection Manual.** This manual contains procedural guidelines and instructions useful in enforcing laws and regulations related to Federal meat and poultry inspection. Copy of the publication and changes since its printing: \$16.50 in U.S. and possessions, and \$20.75 in other countries.

**Meat and Poultry Inspection Regulations.** This publication contains regulations for slaughter and processing of livestock, poultry, as well as for certain voluntary services and humane slaughter. Copy of the publication and changes since its printing: \$30.00 in U.S. and possessions, and \$37.50 in other countries.

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